

C O N T E N T S

EDITORIALS—Note and Comment .....	169-173
TOPICS OF INTEREST: The Heart of India by V. C. George—The Strange Talk of Two Victorians by G. K. Chesterton—The Catholic Press and Communism by John LaFarge, S.J.—Mrs. Farrell and the Neighbors by Cathal O'Byrne.....	174-180
SOCIOLOGY: The Petit Jury by Alfred A. Duffy .....	180-181
EDUCATION: Why Don't They Read? by John Wiltbye .....	181-182
POETRY: Summer .....	182
WITH SCRIP AND STAFF by The Pilgrim .....	183
LITERATURE: The Ultimate Critic by Theodore Maynard .....	184-185
REVIEWS OF BOOKS..185-187..COMMUNICATIONS..188-189..CHRONICLE ..	190-192

### Five-to-Four Decisions

**I**N an address some weeks ago to a law association, Chief Justice Hughes remarked that since differences of opinion were found, and even expected, among learned men in every field of knowledge, it was over-exacting, perhaps, to demand unanimity in decisions of the courts. The reference was to the outcries, some of which may fairly be described as frenzied, which arise as often as the Supreme Court decides an intricate case by a vote of five to four.

These cases are, however, surprisingly few. In a valuable article in the Georgetown *Law Journal* for May, Vernon L. Wilkinson shows that from 1789 to 1935, only ten Acts of Congress, directly involving a question of constitutional interpretation, have been declared invalid by a vote of five to four. Some would add three other cases, but conceding these disputed instances, the list remains short. The first of these cases was decided in 1867. In 1865, Congress enacted a law prescribing a test oath for members of the bar. One Augustus Garland had been admitted to the bar before the passage of the Act, but during the war between the States he had served in the Confederate Congress, which disqualified him from taking the prescribed oath. Subsequently, he was pardoned by the President, and he then applied for permission to practise law without taking the oath. His petition was rejected by the inferior Federal courts. The Supreme Court, however, held in *ex parte* Garland, that as regards Garland, the Act was *ex post facto*, a bill of attainder, and an unlawful interference with the pardoning power of the President.

The last case decided by a vote of five to four was registered on May 6, 1935, when the Court held that the Railroad Retirement Act was unconstitutional. On the

following day, Representative Ramsay, of West Virginia, proposed an Amendment to the Constitution limiting the Court in the exercise of its power to invalidate an Act of Congress to cases in which three-fourths of the members of the Court concurred. Within two weeks five similar proposals were advanced to limit the Court by Act of Congress. One would require a two-thirds majority, two a three-fourths majority, another the concurrence of seven Justices, and the last a unanimous Court. On June 17, Senator Norris proposed an Amendment permitting the Court to invalidate Acts of Congress, provided that "more than two-thirds concurred," and, further, that the litigation was begun within six months after the enactment of the contested legislation.

There was no further attempt in Congress to limit the Court until January, 1936. In the meantime, the Court had invalidated the Industrial Recovery and the Frazier-Lemke Agricultural Acts by unanimous vote, and on January 6 it rejected the Agricultural Adjustment Act by a vote of six to three. "Again opposition flared in Congress." Three bills were introduced, two in the Senate and one in the House. Two of the bills required a vote of "seven or more Justices," and one a vote of "more than two-thirds," in order to hold an Act of Congress unconstitutional. The rejection on May 18 by a vote of six to three of the Guffey Act, regulating the coal industry, will probably be followed by new attempts to regulate the power of the Supreme Court.

According to Mr. Wilkinson, "a greater number of such proposals have been introduced thus far in the Seventy-Fourth Congress than were proposed in the preceding seventy-three Congresses." The first attempt was fathered by Senator Johnson, of Kentucky, in 1823, but none of these resolutions or bills has ever been reported out by the judiciary committee of either House. That

they have been urged, intermittently yet persistently, but always without success for more than a hundred years, indicates a conservative temper in the American people that is, on the whole, sane and invigorating. The Court has been abused when it has rejected an Act of Congress, and abused as violently when it has declined to reject. Little has been omitted of all that could be said in criticism, yet the people have steadfastly refused to interfere with the Court.

To impute interested motives to an opposition is the weakest, and sometimes the most ignoble, of all arguments. But there is substance in the contention of Charles Warren in his "The Congress, the Constitution, and the Supreme Court," that much criticism of the five-to-four decisions is based on the conviction that under no circumstances should the Court invalidate an Act of Congress. This conviction can be understood and respected, but the air would be cleared were it openly presented. One movement in this country would replace the present system by an omnipotent parliament, as in Great Britain. Another favors what in effect is a parliament controlled by an Executive, as in other European countries. In neither system would there be room for a Supreme Court. It is, of course, the right of the people to limit the powers of the Court, or even to abolish it, should either action be considered desirable, but it is difficult to see how either change could be made without destroying the present Constitution.

Criticism of the Supreme Court, or of any other creature of the Constitution, is wholly legitimate, and desirable, as long as it remains within the bounds of truth and of justice. But before the Court is abolished, or even "curbed," we must assure ourselves that what is substituted will serve as well as the Supreme Court, in spite of the fallibility which it shares with all human institutions, has served for nearly a century and a half.

### What About It, Mr. President?

THE inhabitants of Puerto Rico may have many faults, but they love children. According to Edward Angly, writing in the *New York Herald Tribune* for May 15, certain reformers now at work in the island, convinced that the Puerto Ricans raise families that are too large, have established a number of clinics the purpose of which is to restrict families to a size which they deem proper. We have such clinics in this country, too, but, so far as we are aware, not one has been established by the Federal Government, or is supported by Federal money. But in Puerto Rico, writes Mr. Angly, the clinics are paid for by the Federal Emergency Relief Administration, and an official of this organization is reported as saying that "the birth-control job is the best one the agency has accomplished."

Rumors have been afloat for some time, but it has been left to Mr. Angly to make the direct charge. Whether or not it is true, we are unable to state. Dr. Carlos E. Chardon, regional administrator of the Puerto Rican Relief Administration, has said in his report that "a scientific

scheme of birth control should be part of any far-sighted policy for Puerto Rico," but he fears that it will not be "socially effective" until improvements brought about by economic reconstruction are felt by the population as a whole. After that, "it will probably be effective in keeping the rate of growth down." Although Dr. Chardon says nothing about the clinics which, according to Mr. Angly, are daily "giving counsel," he leaves us in no doubt as to what he thinks desirable for the Puerto Ricans.

In pursuing its reconstruction program in this country, the Government has undertaken some projects that may fairly be described as bizarre. Of these, some have been discontinued by order of the President himself. But we have heard of nothing so bizarre as a Federal birth-control clinic. If there is even one of these establishments in Puerto Rico—and Mr. Angly's direct charge seems to justify an investigation—we trust that the President will forthwith issue another order to discontinue.

### An Unsettled Labor Problem

THE executive committee of the American Federation of Labor leaves us in suspense as to its attitude toward the industrial union. Its attitude toward John L. Lewis, of the United Mine Workers, is perfectly clear, but that is another matter. Meanwhile, Mr. Lewis goes his way, issuing challenges to the Federation, but using most of his time in converting labor leaders in the giant steel industry to his views.

Two weeks ago, Mr. Lewis won what may properly be called a decided victory when, by a vote of fifty-three to thirty-one, the Amalgamated Association of Iron, Steel, and Tin Workers agreed to unionize the industry along industrial lines. The decision was not reached hastily; for three weeks the delegates discussed the problem before them. But the Association wisely made two reservations, the first of which was to send a delegation to Washington to secure, if possible, an alliance with the Federation, and the support of President Green. To our mind, this plan shows real labor wisdom. We believe, as the delegates evidently believed, that only the industrial union has a chance to survive in the steel and other mass industries. At the same time, if the crafts and industrial unions can work in harmony, the position of organized labor will be greatly strengthened. Labor has nothing whatever to gain by presenting a divided front, particularly at this time.

In the second resolution, closely connected with the first, the Amalgamated agreed to form its own plans to unionize the industry. Mr. Lewis had offered to put \$500,000 at the disposal of the Amalgamated to be used for organization. It is clear, however, that the Amalgamated intends to reserve to itself control of all matters affecting its members, and to cooperate with the Federation as far as possible. This is something of a rebuff to Mr. Lewis, but on a point of minor importance. His victory was won when the Amalgamated formally approved the industrial union.

Two days prior to this victory, President Green had

published an open letter to Mr. Lewis, which was not exactly an olive branch. What the President particularly resented was the charge of Mr. Lewis that certain statements in which the executive committee of the Federation had criticised the industrial union were "obviously filled with venom and malice." This letter did not check the impetus of the campaign which Mr. Lewis had begun, but it probably influenced the policy of the Amalgamated to control its own organizing, and to work in harmony with the Federation. But the labor movement is considerably more important than either Mr. Green or Mr. Lewis. Each has contributed in his way to strengthen the union, and while the unions will not forget their services, they will not carry their gratitude to a point where the common cause is retarded. Messrs. Green and Lewis should sit down to a pipe of peace, and help bring the momentous experiment which the Amalgamated has begun to a successful conclusion.

## More Academic Freedom

THE results of a poll conducted by the American Institute of Public Opinion have recently been published by the New York *Herald Tribune*. Two questions were proposed to "more than 100,000 representative Americans, from Maine to California," of which the second was, "Should college teachers be free to express their views on all subjects, including government and religion?" Fifty-nine per cent of these representative Americans answered, "yes."

Whatever importance may be attached to this poll, it leaves the college teachers precisely where they were before. It would also have left them unchanged had the representatives voted "no." For it is an old habit of college teachers to express their views, and for this they are hardly to be censured, since for a teacher to teach without expressing his views on religion, or any other topic connected with his subject, would seem to be morally impossible. He will express them whether he purposely gives them utterance, or wishes to keep them locked within his bosom. Like murder they will out, especially if they be seriously entertained.

He may not inform his callow students bluntly that anyone who believes in God is a fool, as did that instructor at Northwestern University some weeks ago. If he is clever, he will not. But if he does not believe in God, or if he considers the fundamental doctrines of the Christian church a fetter on the mind of man, what he believes and does not believe will be reflected in his teaching. He may hold a chair in mathematics, or in physics, in the warmly human classics, or in history, but the same process is inevitable. If the whole man teaches, the whole man will express himself, and his dislike of God and the Church will color, perhaps insensibly, his thought, his purpose, and his speech.

Here we have one reason why the Catholic Church, speaking through Pius XI, teaches that the only fit place for a Catholic student is the Catholic school. "Perfect schools are the result not so much of good methods as

of good teachers who possess the intellectual and moral qualifications required by their important office," writes Pius XI, "and who cherish a pure and holy love for the youths confided to them, because they love Jesus Christ and his Church." The Pontiff is not referring to teachers in the elementary schools alone. Earlier in this Encyclical ("On the Christian Education of Youth") he had written:

To be this [a fit place for Catholic students] it is necessary that all the teaching and the whole organization of the school, and its teachers, syllabus, and textbooks in every branch, be regulated by the Christian spirit, under the direction and maternal supervision of the Church; so that religion may be in very truth the foundation and crown of the youth's entire training; and this in every grade of school, not only the elementary, but the intermediate and the higher institutions of learning as well.

These Christian teachers will express their views necessarily and no less freely than the young instructor in French who yawns his hatred of Almighty God, and calls it academic freedom. But their views will be measured, well considered, founded on the truth, calculated to stimulate intellectual inquiry, and to form men whose work benefits society and the state. In the expression of their opinions, they will be limited only by the truth, and by consideration of the character of their audience.

In appointing teachers for our public institutions, from the elementary school to the university, the religious character of the applicant is not considered, except that Christian piety does not recommend and atheism does not bar. In a majority of the non-Catholic private institutions, the same rule holds. Pius XI desires for Catholic students teachers who "love Jesus Christ and His Church." Catholic parents who elect a non-Catholic institution show little regard for the wishes of the Vicar of Christ.

## A Great Prelate Passes

WITH grief we note the death on May 19 of His Excellency, the Most Rev. Pascual Diaz y Baretto, S.J., S.T.D., Archbishop of Mexico City. This grief will be shared by thousands of Americans who met the Archbishop in the days of his exile, and soon grew to love this strong yet gentle shepherd.

In the providence of God, it fell to Pascual Diaz to live in troublous times. He knew persecution as a priest, and when raised to the sacred episcopate, first as Bishop of Tabasco, and later as Archbishop of Mexico City, the burdens he had carried became immeasurably heavier. He saw churches closed, his clergy forbidden by tyrannical edicts to exercise the sacred ministry, and many of his flock, clerical and lay, put to death because they chose to obey God rather than man.

"Archbishop Diaz fought tirelessly for the freedom of religion from civil interference," writes the New York *Herald Tribune*, "but as a Mexican citizen he strove equally to minimize the bitterness and the resentment of the struggle. His reward was the traditional one of peacemakers." He was condemned by some for what they considered a too great willingness to compromise, but in all he acted under the guidance of the Holy See. Refer-

ring to the "Simultaneous Declarations," issued on June 21, 1929, by Archbishop Ruiz y Flores, Apostolic Delegate to Mexico, Bishop Diaz, soon to be Archbishop, and President Portes Gil, Father Parsons writes in his "Mexican Martyrdom": "Everything, of course, was done under the direct instructions of the Holy See." If an era of "good-will" did not ensue, the failure cannot be attributed to these prelates.

For the Archbishop of Mexico City, there were none of the ancient glories of the Church in Mexico, when with pageant dedicated to the service of religion, prelate, priests, and people met openly to do homage to Christ the King. His were the dark hours of Gethsemani, the cross carried to Calvary, the crucifixion. May he soon look upon the Face of Christ his King, to Whom, and to Whose Vicar, he bore unflagging loyalty to the end.

### Note and Comment

#### Catholic Publications

**P**REPAREDATIONS being made at Columbus, Ohio, for the Silver Jubilee National Convention of the Catholic Press Association, May 29-30, indicate that it will be a most satisfactory supplement to the fine exhibit the United States is making at the World Catholic Press Exposition which opened at the Vatican, on May 12. One of the most interesting incidents of the Convention will be the report of Charles E. Ridder, the Executive Secretary for the United States of the committee in charge of the Vatican exhibit. He says that the committee has found that there are some 3,000 Catholic publications of various sorts, sizes and purposes in the United States. It certainly is a surprising statement and contraverses the impression that Catholics do not read their own literature. If there were not the yet unrecognized millions of readers for them, their publishers would hardly use up so much ink and paper. It is curious to surmise what effect their contents has on these readers, and how it might be improved if the results aimed at are not attained.

#### Mexico and Individualism

**T**HAT Mexico "denied her nature" when she accepted, in the nineteenth century, the individualist scheme of the industrial revolution is one of the propositions stated in "An Introduction to Mexico," a ten-cent pamphlet issued by the Latin America Committee of the Catholic Association for International Peace, 1312 Massachusetts Avenue, Washington, D. C., and sponsored by Fordham University, New York City. "To go individualist," say the authors of this instructive and important pamphlet, the Mexicans "had to change their souls. Their best tradition had been one of economic morality, organized responsibility, and government action." Where the true blame is to be attached is shown in the following words:

The new anti-Catholic individualists . . . broke up the village-lands. They fought the associative life and deprived it of govern-

ment sanction and help. But they kept the aristocratic landed system and extended it and made it their own. They destroyed the good and kept the bad and even when active persecution lapsed they continued attacking the Church.

Critics of Catholic Mexico, says the pamphlet, "fail to recognize the part played by Mexican revolutionary leaders of the last century, such as Juarez, in imposing upon Catholic Mexico the economic system of England, France, and the United States. . . . Economic liberalism had its origin in philosophic liberalism." The same critics, as Father Parsons in his recent book and the authors of this pamphlet point out, forget the efforts made by Catholics, even under Madero, to bring about a truly social organization. Let us hope that the pamphlet is not over-optimistic in its belief that "this persecution is but an interlude." Be this true or not, its words remain true, that "the hope of Mexico remains the Catholic Church and a growth of Catholic national life."

#### The New Jerusalem

**A**PPARENTLY alarmed by the racial and religious dissensions in Palestine, the English Government has decided to appoint a Royal Commission to investigate Jewish and Arab grievances on the spot. In other words, the Commission is to go into the question of the dissension between Jewry and Islam. As the terms of reference of the Commission will be limited, the report, if and when it may be issued, can confidently be expected to lead nowhere. Newspaper reports that the inquiry will have powers to discover whether Italian propaganda has exerted itself to stir up ill-feeling between Jews and Arabs, may be dismissed off-hand. Italy has no interest in fostering bad relations between Judaism and Islam—the interested party may be looked for farther north in Europe. The new Jerusalem is by no means that abode of peace for which the medieval hymnologists sighed so tenderly. It is a city wherein racial and religious conflict are more acute than in any other place on earth. When an Austrian Catholic can be shot dead on the street because he happened to be mistaken for a Jew, it is time to face the stern facts about racial and religious conditions in Palestine. The British Mandate has so far been a failure. Not, however, for lack of goodwill on the part of the Mandatory Power; but rather perhaps for more goodwill than a real understanding that religious conditions in Palestine are rooted in something vastly more fundamental than the *laissez-faire* idea that one religion is as good as another. The overpowering interest in the future and the welfare of the Holy Land is neither Jewish nor Islamic. It is Christian. And as its soil was trodden by the Incarnate Word Who founded His Church there, the welfare of Palestine is inextricably bound up with the Catholic and Apostolic Church of Christ.

#### Facts and Figures

**I**N an early issue of AMERICA (April 26, 1909), a lengthy protest was made against the misleading totals of the census figures for the Catholics of the United States.

That was twenty-seven years ago. Not much progress in the way of reform has since been made, if we are to judge by the tables sent out for the "Official Catholic Directory" for 1936: 20,736,189, an increase of 212,136 for the year. It is not probable that those insisting on exactness of statistical detail will accept such figures. Yet the compilers of the "Directory" are not entirely to blame. The complaint made in excuse, in the "Directory" for 1834, a century ago, would fit present day conclusions also. A house to house parish census, by up-to-date practical methods has just been carried out in the Diocese of Newark, N. J. This example could well be followed elsewhere.

#### War's Continuance

THE exit on May 12 of Italy's representative from the Council session at Geneva dramatized a bewildering difference of viewpoint as to the conflict in Ethiopia. To Italy, the war is over and past, to be laid aside as completely as snowshoes in May. To the sanctionist nations, the struggle has but entered another phase, and Heaven knows where it will all end. In the supposition, however, even that the Ethiopian war were in the near future completely a thing of the past, that all differences were forgotten and all seeds of future conflict destroyed, there is still a continuance which no treaties or councils can suppress. The souls of those who died in conflict live, and their cause is ever pleaded by Mother Church before the judgment seat of charity. This truth, passed over with indifference by the mighty and wise of the earth, was perceived in all simplicity by a colored convert to the Catholic Faith, with scant letters or learning, who wrote a few days ago to Father Molloy, C.S.P., director of the Paulist Fathers' radio station WLWL in New York City:

Dear Father Molloy,

Will you please be so kind as to see that a Mass for the dead is offered for the Italians and Ethiopians? One is freed from the dictator; the other from oppression. There is now no more war in the grave. There it is quiet and peace. It will be quite enough for me to know that you have done this.

Pray for me please.

Anita S.

Some more reflection on the common needs of all souls leveled in death might help to soothe the passions aroused concerning the living.

#### A.B.A. Honors St. Ives

OVER in France last week a delegation of the American Bar Association presented the Tréguier Cathedral with a memorial window in honor of St. Ives, the patron saint of lawyers. Flags flew from all the buildings and homes of the little Breton town, a distinguished group of American and French lawyers gathered, and a crowd of 15,000 people was present to hear the speech of presentation by Pendleton Beckley and then the speech of acceptance by Msgr. Serrand, Bishop of Brieuc and Tréguier. The memorial window replaces one destroyed by mobs during the French Revolution, and is of stained glass twenty by six feet in dimensions. The seal of the United States Department of State is set into its base, together with an inscription of homage from the American

Bar. This inscription was much better, and much more appropriate to the Cathedral, the committee felt, than the old Latin epigram current about the Saint in his own time—"He was a lawyer and no crook—a thing which astonished the people." When the ceremony of presentation was finished, the entire assembly followed the Americans to the house where St. Ives died in 1303.

#### Parade Of Events

NEW impetuses extended the bounds of human knowledge. . . . The theory, hitherto widespread among scientists, that mice living in cold-storage warehouses have longer tails than mice living in hotel rooms, was shown to be fallacious. It is now definitely known to science that mice in hotel rooms have the longer tails. A stampede of hotel patrons into cold-storage warehouses was pronounced unlikely. . . . After laborious research, anthropologists announced to the world that Australian cannibals prefer well-cooked policemen and Japanese to any other diet. The revelation caused perturbation among policemen and Japanese. . . . An interesting amateur astronomer was unearthed in the Midwest. He works in a garage during the day and discovers comets at night. . . . The effect of a bolt of lightning on a saxophone lesson was ascertained in Jersey. The bolt, it was observed, distracts the professor and the pupil; puts an end to the lesson and the saxophone. . . . A definite effort to promote better treatment of husbands was begun by a New York legal decision. A woman wart-remover was ordered to support her husband. She had refused to support him. . . . A two-hundred-pound hitch-hiker, given a ride, caused the kind driver to spend two days in jail for having his truck two-hundred pounds overweight. . . . The dangerous hour for murders was after midnight, crime statistics showed. Attempts to shift this hour into the daytime when more policemen are awake were begun. . . . The international situation was still agog. . . . A European Government's new scheme to balance the budget by paying its employes counterfeit money met with disfavor in continental capitals. . . . With the death of Hitler's chauffeur, anxiety concerning the policies of the new chauffeur stirred diplomatic circles.

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## AMERICA

### A-CATHOLIC-REVIEW-OF-THE-WEEK

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FRANCIS X. TALBOT  
Editor-in-Chief

PAUL L. BLAKELY JOHN LAFARGE  
GERARD B. DONNELLY JOHN A. TOOMEY  
Associate Editors

FRANCIS P. LEBUFFE, Business Manager

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## The Heart of India

V. C. GEORGE

**H**INDUSTAN, to call India by its domestic name, is a country of long distances and vast differences. If the heights of the Lower Himalayas remind one of Switzerland, the wilds of Sindhand and the desert of Thar are highly reminiscent of the Sahara. The differences between the Konkhan and Gujerat, between Bengal and Malabar, are very many. Not only the physical, geographical, and racial characteristics are affected. The whole range of human culture, including religion, customs and manners, is as deeply involved. Thus in temperament and character there are only a few things common to the tall Uriya and the short Gurka, to the industrious Baniya, and the heroic Maharatta, to the intelligent Bengalee and the shrewd Malayali; yet many a foreigner is led to believe that there is agreement in the thoughts and sentiments of all these groups as the result of a common Indian nationality which each is supposed to possess. Such an impression is utterly groundless, as India is nothing but a country of widely differing nations and races.

Still, the heart of Hindustan is being very easily interpreted to the outside world by partisan politicians and propagandists. We are familiar with the spasmodic pronouncements of Mr. Gandhi about the political and spiritual aspirations of India. In these he generally decries Christianity and tries to establish that the Christian religion is not consistent with the national sentiments of the country.

As everybody knows, Gandhi is first and foremost a Hindu, prepared to make any sacrifice to secure the future of Hinduism. Communal award, civil disobedience, Satya Graha, and Harijan movement; these are accepted or discouraged by the Mahatma as they advance or retard the growth of Hinduism in the land. The mantle of the politician falls thinly on him, scarcely concealing the cloak of the Hindu propagandist. He is a great friend of the depressed classes in India, who are to him the Harijans or Lord's people, yet he does not like Christian missionaries working for their uplift or running charitable institutions among them. He fears Christian charity and Christian philanthropy would attract Harijans to Christianity in ever-increasing numbers. Gandhi's admiration for Christ and his acquaintance with the Sermon on the Mount do not encourage him to face with equanimity the great influence which Christianity wields both among the classes and the masses in India. Removal of Untouchability has been all along an item in the Mahatma's social program. Christian missionaries were in the field striving to reach the same goal long before he saw the light of the day. Their work has been unanimously appreciated and applauded by the depressed classes, yet the Mahatma, the great friend of the Untouchables, is decidedly against Christian missionaries running schools and charitable institutions to serve the

depressed classes, in the self-governing India of the future.

Professor Radakrishnan has attempted to reveal the attitude of India toward Christ and Christianity in a book entitled "The Heart of Hindustan." In the course of the work he gives vent to his anti-Christian feelings, parading inferences and conclusions of his own calculated to have Christianity discredited by his countrymen. According to him, Christianity is a motley made up of odds and ends taken from Hinduism and other Oriental religions. The Professor thinks that Christ's followers made him a God, attributing to Him wisdom, power, and love, the three aspects of the Haindava trinity, Brahma, Vishnu, and Siva. Christ's Divinity and the Mystery of Redemption are mere myths to the learned Professor, who is only one out of the many prominent Hindus who are out against Christianity, dubbing it as anti-national and anti-Oriental.

Sir Bashyam Iyengar, retired Judge of the Madras High Court, patronizes a movement in South India, the object of which is to prevent the conversion of the depressed classes to Christianity. Though Hinduism is a very vague term not standing for any set doctrines and practices, having within its ambit a wide range of beliefs including pantheism and monism, and atheism and theism. Sir Bashyam and those who follow his line of thought cannot suffer the pariah, the outcast from Hindu society, to become a Christian and worship God, the common Father of all human beings, in accordance with the doctrine preached by Christ.

When people of such outstanding eminence and influence in India as Mahatma Gandhi, Professor Radakrishnan, and Sir Bashyam Iyengar array themselves in martial order against Christianity, one can easily understand how ignorant and illiterate people can be easily won over to the opinion that India does not possess a congenial soil for the healthy development of Christ's teaching.

Passing from these leaders and their activities, we must turn to the millions of village folk in the country, scattered over more than 5,000 gramams, living half-naked and half-starved in mud huts and leaf-thatched hovels, to form a correct estimate of the attitude of the peoples of India toward Christ and His revealed religion. They form a society apart from the high-caste Hindus, who lord it over millions of their innocent countrymen, denying to them the most elementary human rights in the name of an obsolete civilization which accords them places and positions of preeminence.

The victims of this civilization are found all over India, from Baluchistan to Burma, from Cashmere to Ceylon. In spite of differences in race, language, and culture, they have the general name of the Harijans or depressed classes, though they own distinctive racial or tribal names

in particular provincial areas. Thus, they are in Chota Nagpur, Mundas or Oraons; in Mysore, Adidravidas; in Central India, Chamars; in South India, Pulayas and Pariahs; and Kallars and Pallars in Tamil Nadu. Vedic literature labels these groups as Panchamas, a clear indication that they are outside Hindu society proper, divided into the well-known Chathur-Varnas or four castes. The Panchamas, however educated and enlightened they may be, are not admitted into Hindu temples; and in some places the high-caste people have the hardihood to keep them away from public wells and roads, and from public buildings maintained out of government treasures. Considering the nature of the treatment the Harijans receive at the hands of the high-caste people, it is no wonder if they prefer the Christian missionary with his soul-stirring principles to the Brahmin priest prone to keep them sunk deep in the mire of social degradation. The experience of the depressed classes has brought home to them the truth that the Cross is for all places and for all times a symbol of redemption and equality.

If at all times individuals from the several depressed classes have shown readiness, when properly approached, to embrace the Christian Faith, in recent years the tendency has been increasing in favor of mass conversions. This may be ascribed to several causes. Of these, the most important is that a large group or an entire village of depressed-class people or Untouchables will find it more convenient to withstand the opposition from the high-caste people than a few individuals or isolated families. Individual converts, helped and educated by the Christian missionaries, rising in the social scale and advancing in the favor of the Government, have also contributed to the growth of the tendency. Then there is the general desire to take advantage of the Christian Faith inspiring the wave of mass conversion throughout India.

Speaking of the mass-conversion movement, we cannot forget the wonderful spread of the Gospel in Chota Nagpur, assigned to the Belgian Jesuits. A few months ago

the Apostolic Delegate in India presided over the celebrations in connection with the Golden Jubilee of the mission. The work begun by a handful of missionaries in 1885 has borne fruit in such a wonderful manner that a region where Christianity had been unknown fifty years ago is now almost Catholic, with a network of associations, guilds, sodalities, banks, and cooperative societies, all manifesting a vigorous, civilized, Catholic life. The increase in the number of the Faithful has been phenomenal, 4,000 in 1885 growing into 300,000 in 1935. In Mysore, the Adi-Dravidas and the Adi-Kar-Nadakas have given thousands of converts to the Church. Those of them who remain behind recently submitted a petition to the Chief Minister praying for facilities to become Christians, in order to secure emancipation from the tyranny of the caste system.

Nellore in South India is another field where the conversion movement is spreading rapidly. Whole villages of depressed-class people are instructed and received into the Church, the gain for the diocese during the first five years of its existence being more than 5,000 Catechumens and 10,000 Catholics. Vizagapatam on the Coromandel Coast is another promising field for mass conversions. The whole area, inhabited by 7,000,000 people, is ready to be brought to Christ, and villages are pressing the Bishop to send catechists over to them. Included in the area are British districts and two native States of Bastur and Jeypore, and everywhere the same thirst for truth is manifested. The Franciscan Fathers in Agra, the Capuchin friars in the Punjab, and the Salesian missionaries in Assam are all equally fortunate in their labors, and everywhere the need for more workers is felt.

Thus, the depressed classes all over India reveal India's real attitude toward Christ, coming to the shadow of the Cross in hundreds and thousands to seek social emancipation and spiritual salvation, heedless of politicians and propagandists who wish to drive Christ away from the shores of India as an undesirable alien.

## The Strange Talk of Two Victorians

G. K. CHESTERTON

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**T**HE Faith always returns in a counter-attack; and it is generally not only a successful attack but almost always a surprise attack.

Here more than anywhere it is the unexpected that happens; the religion supposed to be rotting away slowly in unlettered peasantries was found present in pressing numbers in the new industrial towns; the creed compassionately tolerated in a few old sentimentalists is today making converts among the young almost entirely of the hard-headed logicians.

But this tendency to a reconciliation with intellectuals, once regarded as a reconciliation with irreconcilables, has produced, among other queer points in the position, this fact; that the newest group consists rather too much of those who are in a position to teach, while there is not

yet a sufficient crowd, or larger public, of those who are in a position to learn. There is, for instance, a huge mass of material in Catholic history for very good novels or plays; and there are a considerable proportion of Catholics capable of writing them; but there is not yet a sufficient number of ordinary readers capable of reading them, in the sense of understanding them. This is especially true of the high historic quality of irony.

An Englishman realizing the real religious history of his country constantly comes upon small social and political episodes, of which the irony is as grand as Greek tragedy; and then he remembers most of the other Englishmen, and has to own that it would be Greek to them. The very ironic point which gives him grim gratification would be quite pointless, because the public at large would probably take

the suggestion quite seriously and never even see the joke.

So, till very lately at least, the public hardly saw the joke of talking about the Virgin Queen or the Glorious Revolution. You cannot have drama without a public; you cannot have irony without an instructed public.

I was wondering the other day whether anybody had thought of a play, or rather a scene, which could be a very fine scene written by anybody well read in eighteenth-century England. It might be called "Five Irishmen."

Seated round a table in a coffeehouse (but conspicuously not drinking coffee) would be Goldsmith, an old Tory almost a Jacobite; Sheridan, a younger Whig almost a Jacobin; Burke, a Whig more alarmist than any Tory about disturbing the balance of the British Constitution (which he had largely made up out of his own highly imaginative head); Grattan, a Whig orator also, but native to the Irish Parliament; and (if he could be dragged in somehow) somebody more dangerous, like Lord Edward or Tone, foreshadowing the Irish Rebellion. All these men were Protestants. All, either in their own persons or through their families, could be traced back in some way to the time when it seemed that the heart of Ireland was broken; and for a man who did not abandon the Faith there was no normal hope on earth.

I think somebody could make a fine study, in several stages, of how layer after layer began to crack and that awful forbidden ancestral Thing rose slowly to overshadow them like a ghost. They would begin decorously, of course, probably discussing Catholic Emancipation with cold pagan liberality; and the wine and the words and the Irish passion for personal recrimination, and especially for family reminiscence, would bring strange things spouting from the depths; and through a wild scene I actually seemed suddenly to hear the high voice of Sheridan, shrill with intoxication, crying out some taunt: "Have ye forgotten that, O'Bourke?" And then I remembered that an audience in a London theater would probably make nothing of the notion of that great eternal Thing terribly returning; because any number of them do not know that it is eternal and hardly that it is great.

In Edith Sitwell's very graceful sketch of Queen Victoria, I came on another quaint little drama, which in this case would be a duologue. Also, in this case, the thing really happened. It is there described briefly and impartially; but anyone knowing persons and period can easily understand and expand it; and to me it is enormously amusing; amusing and also enormous. It has exactly that grim Greek irony of the contrast between great things known and the greater thing that is not known. It was a discussion, and even a dispute between two very eminent Victorians. It was concerned with the news of the proclamation of the dogma of the Immaculate Conception.

They were both good men; they were both men of the first prominence in the public eye. Both had the finest culture of the Protestant; both had a faint streak of the prig; but both had a warmth of generous conviction for their own favorite causes; neither certainly, was a fool; neither was a No-Popery man in the narrow and vulgar

sense; both believed themselves flooded with the full daylight of the age of enlightenment and liberty; and, at the same time, both had hobbies and intelligent interests that might soften them toward older religious traditions.

One was a great reader of the Fathers and the first devotional literature; the other had a genuine taste in what was still often regarded as the childish cheap jewelry of medieval painting. One was a High Churchman of the Oxford Movement; the other was a liberal Lutheran. One was the great Gladstone; the other was Albert, the Prince Consort.

The two men talked and disagreed. They sharply disagreed. The point on which they disagreed was extraordinary. But it was not a hundredth part as extraordinary as the part on which they agreed.

Mr. Gladstone was greatly grieved because he had found the Prince Consort in a state of indecent hilarity, he thought, over the news about the Immaculate Conception. Indecent hilarity is not a vice conspicuously staining Prince Albert's name, any more than Gladstone's; two more solemn disputants would be hard to find. But Prince Albert was the more cheerful, because (he said in effect) it is always a good thing when an evil system, tottering to its fall, does some one wildly insane and frantic act of arrogance; which will quite certainly bring it to a final crash. Rome had staggered along somehow till now; but, obviously, Rome would never have a leg to stand on after this.

But Mr. Gladstone (of the Oxford Movement) could not join in this simple German triumph over the disaster and disgrace that had at last destroyed the Eternal City. In those deep tones of reproach he could command so well, he rebuked the Prince for his insensibility to this blasting and blackening of a name that had meant so much in history; no Christian, he felt, could be insensible to the utter downfall of so large a section of the Christian world. He meant it. He was tremendously upset about it. He returned to the subject afterwards; repeatedly imploring Prince Albert to drop at least one tear upon the ruins of St. Peter's, now lying as desolate as Stonehenge.

But the Prince also was firm; and remained in his somewhat rare state of high spirits over the news that the unduly protracted business was finished; and the Pope had done himself in at last.

And all this was because—of what? Because one more crown had been added to that tower of crowns that crowd after crowd, city after city, nation after nation, age after age, have reared higher and higher on the image which is of all others most strongly based and founded and built in, as regards this earth, in the affection of the universal people. And Prince Albert, with his unselfish labors for the education of the working classes, and Gladstone, with his confident appeal to the great heart of the people, understood so little of what that crown and image really meant to millions of ordinary poor people, in all the countrysides and cities of half the world, that they actually expected that it would be dethroned like a tyranny, for this last toppling insolence in the demands of a tyrant.

The one extraordinary thing on which these extraordinary men agreed, it seems, was that the decision would be *unpopular*. . . . One of Belloc's Ballades had a refrain chiefly remembered by the Envoi, which ran:

Prince, is it true that when you met the Czar  
You said that *English people* think it low  
To coax to life a half-extinct cigar?  
Good Lord, how little wealthy people know!

Anyhow, the one assumption shared by these admirable public men seems to have been wrong somewhere. Applewomen did not rush madly out of church; seamstresses

in garrets did not dash their little images of Mary to the ground, on learning that she was named Immaculate.

Four years after these potentates had their regrettable difference, while the Bishop still frowned and the parish priest feared to believe, little knots of poor peasants began to gather round a strange starved child before a crack in the rocks, from whence was to spring a strange stream and almost a new city; the rocks she had heard resound with a voice crying, "I am the Immaculate Conception. . . ."

"Good Lord, how little wealthy people know!"

## The Catholic Press and Communism

JOHN LAFARGE, S.J.

**A**T the solemn inauguration of the World Catholic Press Exposition, on May 12, the Holy Father, Pope Pius XI, spoke to the representatives of the Catholic press assembled from all regions of the globe an extraordinarily earnest and precise warning concerning Communism. His Holiness, says the radio report of the N.C.W.C., "particularly adjured the Catholic press to carry this solemn warning to all the world, repeating his words and his plea. Twice in the discourse he emphasized that he spoke not only as the head of the Church, which has guarantees from the Saviour of its eventual triumph, but also as a 'son of our times.' He declared that the Church today "is the only bulwark of Christianity," and asserted vigorously that she "cannot admit that politics exclude morals."

All that the following lines claim to do is to note a few points in his address which might be passed over by the casual reader, owing to the condensed style of the Holy Father's pregnant utterance.

He makes clear at the outset that he is speaking not from rumor or hearsay, but from abundant and exact information. In his own words: "An immense amount of literature has been widely circulated putting into full and definite light this program which already is in practice or is being attempted in Russia, Mexico, Spain, Uruguay, and Brazil." There is no need to go to anti-Communistic sources for much of this "full and definite light." Anyone who will take the trouble to glance through the tremendous mass of material circulated by the Communists in this country alone, and obtainable from any of their recognized centers, can inform himself on this point. In addition, however, to matters of public record, the Holy See has now, as always, access to accurate information from every country in the world, and no institution is more thoroughly aware of all that is going on today. A valuable digest of important points of information, entitled *Lettres de Rome* (in French), may be obtained from Piazza Santa Maria Maggiore, 7, Rome (128), for fifteen lire per annum.

The Holy Father's view of the world situation from the Vatican watch-tower confirms him in the view that Communism is an extremely serious threat, which cannot be waved aside, as the affair of a few eccentrics or rebels, nor expected to disappear as a mere passing fad. Its roots

are too deep in recent—not all so recent—history; in contemporary religious, social, and economic conditions to warrant such an optimistic notion. It is likewise a *special kind* of threat, as a "common enemy."

Immediately before, when the Holy Father received in audience a group of Hungarian pilgrims headed by Cardinal Seredi, the Pope spoke of Communism as a "common enemy threatening everything, the family, the Church, and the State." To the press representatives he characterized it as "the first, the greatest, and the most general peril," which "threatens all openly and assails individual dignity, the sanctity of the family, the safety of civil life, and, above all, religion." It is a "great and universal danger which threatens the entire world."

At the present time, the Catholic press has a tremendous opportunity to bring to the mind of the public this universal character of Communism. For the average American, Communism is merely a political theory, which advocates a radical change in the American form of government, or it is merely an economic system, which would do away with the right to private property. In reality it is a combination of two or three matters which usually are conceived separately: a complete philosophy of human existence and human relations, based upon a denial of man's spiritual nature and destiny and a materialistic interpretation of history; a philosophy of action, whereby thought can be transmitted into deed; and an organized political, social, educational, economic, and cultural movement for the purpose of propagating that philosophy of human existence through the philosophy of action.

The Communists themselves, as the development of the anti-religious campaign in Soviet Russia has shown, have come to understand that religion is too complex a phenomenon to be dealt with by a mere display of force or ridicule. For the same reason, an over-simplified treatment of this "universal danger" will leave us pretty much where we were before, only with new weapons in the hands of the enemy. A universal denial can only be met by a universal affirmation, in doctrine and practice, of the Catholic philosophy of human life and relations.

The Holy Father emphasized that the danger was not to religion or the Church alone. Indeed, he professed himself as being, in a sense, "more painfully preoccupied

for purely human social and state institutions than for the Catholic Church." For "the Church is a Divine institution and has a Divine promise." The "unchaining," however, "of error and vice sustained by violence, deceit, and also by iniquitous laws" reacts upon humanity itself. It results in the "shipwreck of souls." Moreover, it makes impossible the "valid and precious contribution which the Church alone can bring to public safety, real peace, and public welfare."

At this point the Holy Father touches on a matter which lies at the heart of much of the confusion of thought at the present day, a confusion which again is a challenge to the thought and expression of the Catholic press.

The very evils which Communism denounces, the exploitation of the poor, the neglect of popular education, the avarice of the wealthy, the corruption of professional politicians, the subservience of political institutions to the schemes of private enterprise, are themselves the result of an all-too-forgotten cause, the exclusion of the Church from her beneficial influence upon public life. These evils may not be *immediately* traceable to such an exclusion. As in the case of Spain, where Catholic social action has in many, though not all instances, been deplorably dormant in recent years, the morbid condition may result from historic causes, a generation or a century ago. Allowing, however, for all exceptions and qualifications, the general rule may be safely asserted, that the unfortunate social and political conditions which are used as a weapon against the Church are themselves the product of the very forces that in the past have opposed the Church's beneficial action.

Today the Church is excluded, in certain countries, from "beneficial action precisely in those vast fields which have the greatest need for her and would profit most, namely, Youth, Family, School, Press, and Popular Welfare." This exclusion, in the case of Communism, is due to a frontal attack, religion as religion being the enemy. But the Holy Father points an unerring finger to a subtler pretense, the artificially cooked-up charge of "political activity," raised by interested Governments against any activity of the Church for the sake of ameliorating the condition of mankind; and he has no hesitation in designating indirectly the German political regime.

Two great countries, he noted at the beginning of his discourse, were sadly distinguished by the lack of representation at this exhibit: Russia, where religion, and particularly the Catholic religion, is being attacked and daily additions made to the record of Christian martyrs; and Germany, "known to be particularly dear to Us," where, in violation of all justice and through an effort artificially to identify religion with politics, the Catholic Press is not wanted. In both countries, he said, they fear the "efficacy, strength, and honor of the Catholic Press."

In a brief paragraph the Holy Father lays down the basic principle from which the Church never departs. "The Church," he says, "recognizes the State's own sphere of action and teaches and commands a conscientious respect for the State, but it cannot admit that politics excludes morals, and cannot forget the precept of its Divine Founder." He recalls in this connection the words of the

great Italian novelist Manzoni, who observed that Christ commanded the Church to deal with moral issues and to master them, everywhere that such issues were raised.

The Pope alludes to the policy adopted by the Nazi Government in its attacks upon Christianity of raising the cry of political Catholicism at every manifestation of Catholic life and social activity. That German Catholicism, under the Center Party regime, may have taken on too much of a political complexion, may be plausibly argued, though considered opinions differ upon this point. But the attacks to which the Holy Father refers are of a conscienceless, unscrupulous type in which the "political" charge is borne out by nothing but anti-Christian prejudice, attacking Protestant and Catholic Christian alike.

The danger of Communist propaganda, in the opinion of Pope Pius, is not lessened by its assumption, in latter days, of a non-violent appearance, "in its aim to penetrate into places which would be less accessible were that violence continued." Unfortunately, he continues, there are certain localities where such a policy "obtains incredible success, or, at least, is met with the silence of tolerance, an inestimable advantage for the cause of evil and one of unhappiest consequences for the cause of good."

Spain's experience, with 106 churches pillaged, 303 churches and convents burned, about 300 persons killed and a thousand injured between February 16 and April 2, shows how little credence can be placed in the delusive tranquillity of a "Popular Front." In striking agreement, though from the opposite point of view, with the Pope's characterization of Communism as an attack universal in its scope is Emilio Portes Gil, whose recent speech on "The Mexican Schools and Peasantry" is circulated in English translation by the Mexican Government's Ministry of Foreign Relations. Says Portes Gil to the Mexican peasants (*italics his*):

I think that the school that preaches Socialistic reform contains two fundamental ideas—one entirely *rationalistic and scientific*. This first part of the article [3 of the Constitution] aims . . . to remove from the mind of the child, of man and woman, the falsehoods sown during the whole course of humanity's existence, the falsehood that has for twenty centuries, with duplicity, malice, and perversity, been instilled into the consciousness of man for generation after generation.

Further study of Portes Gil's speech, as well as of the anti-religious drawings that accompany it, only confirm the conclusion that the Communist's attack upon man's essential relationship to his Creator is no mere incident but is the heart and soul of the movement. At the conclusion of his address the Holy Father expressed a sublime confidence in the Saviour's presence even in the midst of the greatest darkness, quoting His words to the disciples at Emmaus. The Catholic press, in this country and abroad, will, as it has always done, do its part to sustain the hands of the Pope in his battle with the powers of darkness: a battle won with arms not of force, but of light. But the success of that battle of enlightenment depends upon the support which that press receives from its readers. The Holy Father's words, though spoken directly to the writers and editors alone, are addressed over their heads to the Catholic reading public throughout the world.

## Mrs. Farrell and the Neighbors

CATHAL O'BYRNE

MRS. FARRELL'S front door, like her heart, was open to the wide world from morning till night, and from night till morning, for that matter, for she was the kind of person, as her neighbors all well knew, and with good reason, too, that would rise out of her bed at the dead hour of midnight to do you a good turn. Yes, and make no bones about it either. There are people in this world, and you know it just as well as we do, and if they were only to lend you the loan of the blue-bag once in the six months, you would actually think that they were keeping the teeth in your head. That's the truth.

Now, if you were to ask Mrs. Ryan, Mrs. Farrell's next-door neighbor, she could tell you how, when her second eldest little boy was at death's door with the croup in his throat, the same Mrs. Farrell never laid side to a bed till the child was out of danger, but lifted and laid him, and nursed him and minded him, as if he was one of her very own. But, sure, that was Mrs. Farrell the world over, and, thank God, there are good people like her everywhere, lest poor human beings like ourselves might begin to lose heart altogether. Yes, and moreover, if you or anyone else had told the good woman that she had done something out of the ordinary, there wouldn't have been a more surprised creature in the globes.

The same Mrs. Ryan was a little Jenny Wren of a woman, about the size of sixpence in coppers she was, and always and ever as neat as pins in paper. The full of a house of children she had, "like steps of stairs," as Mrs. Farrell said, and yet and all, you would never see at any hour of the day or night one iota in that woman's house out of its proper place. There are people like that: they seem to be just neat by nature, and 'tis nothing short of a gift, so it isn't. That's the goodnesses' truth.

Now, just at the same and said time of which we are telling you, or, to be quite correct, a few days before, Mrs. Ryan was visited with sad trouble. Her husband's brother, who had the front bedroom from her—a pensioner he was, and had been all through India and the Crimea—died suddenly, although 'tis ailing the poor man had been for many's the long dear day. Asthma on his chest he had, which Mrs. Farrell could tell you she had heard him say manys and manys the time, that he "never did an hour's good since he crossed the Himalayas."

"Well, my dear"—Mrs. Farrell was telling the story to Mrs. Dunphy, who had just called in on her rounds with the sodality magazines—"well, my dear, he died last Monday morning as ever was. Just went off for all the world like the clapping of your hand. Indeed 'twas very sudden at the last, God be good to us. But a walking saint the poor man was, if ever there was one in this mortal vale. At Mass every morning that ever came he was. A moral of a man in every way, and, as Mrs. Ryan says herself, a better never broke the world's bread. So, God's good, and I only hope and trust that we'll all be as well prepared to go."

"Indeed, it was a great trial for the little woman, and she with her large family," said Mrs. Dunphy, in kind sympathy and real understanding of Mrs. Ryan's trouble.

"So, dear, as I was telling you," Mrs. Farrell continued, "the poor man died, and, of course, I ran in to see if I could be of any use in any way, for the poor little woman didn't know what to do, or what road to turn she was that upset at the suddenness of it all."

"I can well believe it," said Mrs. Dunphy, "and 'tis just like what you would do, Mrs. Farrell, the world knows that."

"And when the doctor came," Mrs. Farrell went on, "he didn't improve matters, at least, so far as Mrs. Ryan was concerned, so he didn't, for what do you think but he said—that there would have to be an inquest."

"The dear take care of us!" said Mrs. Dunphy, lifting up her hands in amazement.

"Well, now, Mrs. Dunphy, dear," said Mrs. Farrell, "an inquest is a thing that I know as much about as a native of the Ham Sandwich Islands would know, so, in the innocence of my heart, didn't I ask little Mrs. Ryan if that meant a portmanteau examination."

Mrs. Dunphy was just about to say "post-mortem," but checked herself, as Mrs. Farrell continued her story.

"Well, Mrs. Dunphy, that the little woman didn't actually fall out of her standing with the fair dint of laughing is nothing less than a miracle, and she in the middle of her great trouble and all. You know how awkward I am at saying things, but indeed, to tell you nothing but the plain truth, in a way it was a blessing I said it, and 'tis glad I was to see the little woman forgetting herself and her sorrow for even a minute, so I was.

"Not at all, Mrs. Farrell, dear," says she, when she could speak, 'an inquest means that twelve men will have to sit on the corpse.' 'Oh, does it?' said I. 'That's exactly what it means,' says she. 'Well,' said I, 'all I have to say is—that if the poor man isn't dead now I wouldn't give much for his chance then, so I wouldn't. For Mr. Moloney, who keeps the grocery store at the corner, goes to all the inquests, and he's twenty stone if he's an ounce, and as broad as he's long he is, with blue eyes and red whiskers.' That's the truth, Mrs. Dunphy, dear, but I'll say it and I'll maintain it, from what I know of the poor dead man, good and all as he was, if he was living he wouldn't let anybody sit on him, so he wouldn't."

"I don't misdoubt your word in the least, Mrs. Farrell, dear," said Mrs. Dunphy, "for everybody has their feelings, so they have, if they're human beings at all, and they're lifeless that's faultless, so they are."

"That's a true word," said Mrs. Farrell, "but there's one thing sure and certain—little Mrs. Ryan may get over her trouble in due time, but it will be a month of Sundays before she forgets the question I asked her about the inquest, so it will. And that just goes to show—I suppose the good Lord has it so allowed—that everything has its uses in this world, even a bit of foolishness. For at my awkward question Mrs. Ryan forgot about her worry and sorrow for the time being, so she did. So,

who knows, but maybe foolish people like myself have their place in the world, and maybe do some good with their foolishness."

"Well," said Mrs. Dunphy, rising to go—she had yet to distribute her magazines—"well," said she, "my own notion is this, Mrs. Farrell, that it would be a good, and a very good day for the world if there were more foolish people, as you call them, in it like yourself, and more of your kind of foolishness. That's all I have to say, and goodbye now, and may you and your foolishness always be before us."

"Tis too kind you are, Mrs. Dunphy," said Mrs. Farrell. "I only wish that I deserved one-half of what you say. But there is one thing I will say—and I'll stand by it—and that is, if people do the best they can with a good heart, and a good heart is always a merry one, they'll never go far wrong. That's my notion, anyways. So, goodbye, now, Mrs. Dunphy, and—God bless you—come again soon."

"Indeed I will, ma'am, and a thousand thanks to you."

And with that word Mrs. Dunphy took herself off on her errand of charity.

## Sociology

# The Petit Jury

ALFRED A. DUFFY

WITHIN the past few years, the enforcement of the criminal law, and the tactics of criminal lawyers, have been subjected to much criticism. Some of this criticism is fair, but a great part of it is unfair, and not based upon fact. When at the session of the New York legislature which has just closed, Governor Lehman submitted his program for reform of criminal law and procedure, this criticism became particularly sharp, and took the turn of accusing all who opposed the program as friends of crime. Even the conservative, and generally fair, *New York Times*, although not descending to personal abuse, thought it fair to say that today the criminal "making use of a hundred modern contraptions, fights, too often successfully, antiquated procedure and methods."

Undoubtedly, the *Times* here expressed a very common opinion, but one that is hardly based on fact. Recently the county clerk of Kings County (Brooklyn, New York) released some very enlightening statistics. In 1935, the Grand Jury handed up 2,007 indictments. Frequently defendants are indicted two or more times for separate and distinct crimes, which, one must bear in mind when interpreting the statistical disposition of the number of indictments. In 1935, 1,381 defendants either pleaded guilty or were duly convicted of crime by a jury. One hundred and seventy-eight defendants were tried before a jury, and were either acquitted by direction of the court, or by verdict of the jury. The clerk's statistics do not show the number acquitted by the jury alone, but the Kings County district attorney's records show that fifty-nine defendants were acquitted by the jury, and 114 were acquitted by direction of the court. In addition, the court, on its own motion, dismissed 429 indictments. The clerk's statistics do not admit of an analysis of these dismissals, but the records of the district attorney's office show that 207 indictments were dismissed where the defendant pleaded guilty and was sentenced on another indictment. There are also twelve indictments which were superseded, i.e., where there was a defect of some sort in the first indictment returned, it was dismissed and replaced by a second and valid indictment. That leaves about 210 unexplained dismissals.

Of these 210 statistically unexplained dismissals, it would be necessary to consult the individual judges and their records in order to learn exactly why the indictments were dismissed. Sometimes judges return parole violators to finish out their term, and dismiss pending indictments. At other times, because of the extreme youth of the accused, or because of the very trivial nature of the offense committed, a judge may exercise his judicial powers and dismiss an indictment on his own motion. In the light of these statistics, the fact does remain, however, that the weakness in the enforcement of criminal law is not in the procedure after a valid grand jury indictment has been returned.

They certainly tend to show that the petit juries are not so lax, negligent, or unwise in the performance of their duties as one may be led to believe by the daily press. With only fifty-nine acquittals in Kings County last year, it can hardly be said that the juries are turning out the criminal in a wholesale manner. It should certainly be obvious that the chances of a defendant being acquitted or discharged after an indictment by a grand jury are not nine out of ten, which a good portion of even the intelligent public seems to think. As a matter of fact, the jury last year brought in 148 verdicts of guilt, which in percentage means that the jury actually convicted seventy-one per cent of all defendants. Is it unreasonable to suppose that among the fifty-nine defendants acquitted, there were actually a majority of really innocent people? It is almost conclusively demonstrated by these statistics that the criminal is not "getting away with it" before the petit jury. Since Kings County, with a population according to the 1930 census of 2,560,401, is larger than any city in the United States, with the exception of Chicago, it should represent a fairly good example of the average large American city.

One of Governor Lehman's bills proposed to allow a verdict of guilt to be based upon a five-sixth verdict; i.e., if ten jurors should find the defendant to be guilty, he would be duly convicted of a crime according to law. In 1935, there were only fourteen disagreements by juries in the Kings County court. The number of disagreements

does not seem to warrant a change in the law requiring a unanimous verdict; first, because there certainly are a small proportion of cases in which we should reasonably expect disagreements; and secondly, the proposed law was based upon the erroneous assumption that nearly all disagreements are ten or eleven to two or one, respectively, for conviction. This is not the case. In my own experience, I have known of several disagreements where the vote was seven to five for acquittal and in fact, I even know of one, a homicide case, in which the vote was eleven to one for acquittal.

The great difficulty with the crime-reform legislature advocated today is that it does not get at the root of the evil which the bills are supposed to remedy. The statistics show that when a defendant is actually indicted by the grand jury, he only has about one chance in eight or nine of being acquitted. People generally forget that when criminal lawyers have their clients plead guilty in ordinary burglary, robbery and assault cases, there is no fan-fare, and no picture taking of the lawyer and his client. But when some famous lawyer represents a defendant in a type of crime which arouses public interest, and the defendant is acquitted, the courtroom is filled with newspaper reporters, photographers, and hangers-on, and the acquitted defendant and the lawyer for the defendant receive a great deal of publicity.

During the past year, a close check-up was made at the Kings County district attorney's office with reference to the number of pleas of guilt. When these records were closely scrutinized, it appeared that many well known criminal lawyers had frequently taken pleas of guilt on behalf of their clients over a period of years, and it was further shown that the lawyer who acquires all of his clients, or nearly all of his clients, or even a majority of his clients, does not exist.

The weakness in our criminal law is not in the trial procedure and in the numbers acquitted by the jury, but in the failure of our law-enforcing agencies, first to arrest, and secondly to gather together sufficient legal evidence to secure a valid grand jury indictment. All modern crime-reform legislation, especially within the past few years, seems to be directed towards reforming the strongest and most competent part of the criminal law enforcement agencies, by making it easier to secure a conviction of a defendant before a petit jury. Governor Lehman follows this particular line of reform when he advocates laws to permit the court to comment upon the quality and quantity of the evidence, to compel a defendant to give notice of an alibi defense to the district attorney before the trial (which has become law), to allow juries to bring in verdicts of guilt by a ten to two vote, to permit the court to comment upon the failure of the defendant to take the stand in his own defense. These latter are futile and misguided reforms because, first, they tamper dangerously with the fundamental rights of the defendant, and are not directed at the real weakness in the enforcement of our criminal law.

It does not seem unfair, then, to draw the conclusion that the reformers of the criminal law should look to

other methods of changing the criminal procedure and preventing crime. The facts almost irrefragably prove that there is not so much weakness, so much stupidity, and so much laxity on the part of the petit jury as is generally supposed, but that in reality criminal procedure is not antiquated and does not provide the criminal with easy avenues of escape. The weakness in our criminal-law enforcement system lies somewhere prior to the indictment by the grand jury, in the failure, first, to make arrests, and secondly, to gather sufficient legal evidence to warrant an indictment.

The public should not permit itself to be misled by fruitless or unwise reforms which merely make a pretense of reforming an existing evil, but which really do little, if any, good, and in fact are likely to bring about greater evils than the evils they seek to remedy. If we must have reform in criminal law, let it be a sane, a fruitful, and a commonsense reform.

## ***Education***

### **Why Don't They Read?**

JOHN WILTBYE

"WHY, she's got a book!" exclaimed the swain. It had been suggested that a book would be a suitable remembrance on her birthday.

I see by the papers that our boys and girls no longer read books. They may read sermons in brooks, and even in stones and the movies, but not in books. If this complaint is true, I am constrained to find the cause in the fact that they have no books; not even, as Arabella, one lone volume. Occasionally they may come across an object that is called a book (so many printed pages between covers) but they do not know what it is for. How should they? They have never been taught. They know that it is not an article of food, that you cannot use it in mixing a high ball, or play it, as you might strum a ukulele.

But it does not occur to them that it can be read. If I, with all my accumulated wisdom, were suddenly faced with an artifact from the Gobi Desert, I should probably give it a glance, and pass on. I am not at home with artifacts, especially from the Gobi Desert. They leave me cold. To my friend, Père Teilhard de Chardin, S.J., it would be as a primrose by the river's brim to the eye of a poet. To me, it is merely something rather poorly constructed, to begin with, and considerably impaired after the wear and neglect of approximately 4,000,000 supposititious years.

In penning this indictment of modern youth, I may be accused of stressing the crime too darkly. But it was a president of Harvard who said some years ago that few of his seniors had read a book; they merely used books to prepare for examinations. Still, Harvard is Harvard, and almost anything can happen at Cambridge. Let us glance, then, at an urban scene, New York. I pick up my *Times* for May 17, and discover that the habits of high-school pupils here in respect to books and reading are "cheap, tawdry, and desultory." It appears that 47,000

boys and girls were questioned. Seventy-one per cent of them dipped into fiction now and then, "with a good percentage of it light fiction," but rarely did they read a biography or an essay, and they sheered off from poetry as though it were poison. The survey was conducted by the Association of Teachers of English, and at its completion the pedagogues assembled to discuss the report. Here is a sample paragraph.

Especially is it disconcerting to find that the pupils read little that develops critical-mindedness, that trains judgment, that disciplines the mind. The evidence of the survey indicates that the pupils lend their minds hospitably to all kinds of fiction, and admit that frequently they do not remember the author, the title, nor the contents of what they read—if such experience can be called reading.

Thus far the high-school teachers. The same issue of the *Times* contains a brief account of an address by Dr. Algernon Tassin, of Columbia, at a meeting of the Good Speech Society. "I have found that college students do not read, in the real sense; they only recognize words in familiar sequence," said Dr. Tassin. "Sometimes they vaguely get the feel of what the author is writing, but for the most part, I think, the printed page is a blur for them."

I think the indictment is sustained. Neither at high school nor at college do our boys and girls read. But if it be asked why they do not read, I must return to my original answer. They do not read, because they have no books, not even Arabella's single volume.

But what about our public libraries, with their millions of volumes in New York alone? Then we must not forget the school libraries. In these days of standardizing associations, rows must tower above rows of books in the school library, or the school is cast out into the exterior darkness, and there it remains until it can purchase at least a few rows, and promise the rest. Besides these repositories, even our villages now have libraries which rent books for so many pennies per day. It would seem foolish to say that our children have no books, when we contemplate these riches. Mr. Carnegie and his libraries have become a national tradition.

I plead confession and avoidance. We have plenty of books, but they are not in the right place. They are in libraries and book shops. If we hope to teach our children what a book is and what it is used for, we must surround them with books from the beginning. How can we expect our children to go to the public or school library for a book, when books have not been their earliest companions? The bookless home means, in nine cases out of ten, children who never learn to know and to love books. They may use them at school and college, not because they wish to use them, but because they must. But this, as the New York teachers claim, is not reading, in any real sense. It is forced labor on the county road, under the eye of the sheriff.

Happy is the child who learns to toddle in a library. Books become as familiar to him as his bottle of milk. At first their uses are circumscribed; he falls upon them, sits upon them, or tears out here and there a page which for some mystic reason, to us elders unknown, attracts his

unspoiled fancy. Later, his first efforts with the pencil may decorate their blank or even their printed pages. But he is learning. Punishment in accord with his tender years is visited upon him, and he acquires a knowledge, the first primitive knowledge, of books. They are not to be harmed. There is something truly sacrosanct about them.

The place in which they are kept may be only a poor room in a poorer house, but it is a shrine, in which you do not shout or throw things about. You see people in it, with books in their hands, and they are very quiet. They are reading. They are talking to the book, you think, and the book is talking to them. When you grow up and learn to read, you will be like your elders. With loving hands you will take a book from your library, and then sit down and talk to an old friend. You may be meeting him for the first time, but you know he comes from a friendly race. He is a book, and that is enough.

For teachers who are continually pressing lists of books upon reluctant pupils, I have nothing but respect. But I think that in many cases they are fighting for a cause already lost. Boys and girls who have not learned to love books at home, learn to love them with difficulty, if at all. For those who come to school with this love in their hearts, the lists, for the most part, are unnecessary. They may be even harmful. Some children resent an acquaintance or a book list thrust upon them. To others, every new book list is just more spinach. For the lists, let the teacher substitute the books themselves, as many as she can wheedle from the librarian, who should never be happier than when the shelves are emptied. Let the books lie about where the children can see them, ruffle the pages, taste them. Better far for the child a book self-chosen than a book thrust upon him.

But I speak as one foolish. What homes can have books these days? There is no room for them in our constricted city apartments. The only solution I can think of—and I offer it with fear of the lady of the house—is to make room for books by throwing out all the gadgets. A book case (open shelves, please!) can be put where that bridge table now is. Another will fit that corner nicely, when the radio has been sold for junk. Out with them, and give your children a good chance to know books and to love them.

#### SUMMER

On the grass green meadow

Stay with me,

In the deep green shadow

Of the apple tree

We shall hear birds singing

While the clouds float by,

We shall see birds winging

Through the sky.

In the deep green shadow

Of the apple tree,

On the grass green meadow—

Stay with me.

KENTON KILMER.

## With Scrip and Staff

I HAVE often wondered how far a building, or the material side of an institution, may be considered as expressing the personality of the man who is responsible for it. If you have ever visited Maryknoll, the motherhouse of the Catholic Foreign Mission Society of America, you will doubtless be impressed by the fact that this extraordinary venture in architecture is the expression of the mind of Maryknoll's founder, the late Superior General and Bishop, James Anthony Walsh. It is the expression of his mind in a very literal sense, since the mind of the patron and the mind of the architect were as intimately united as it was possible for two minds in such divergent walks of life to be. From the fact that the late Timothy Walsh was the Bishop's own brother one would deduce a certain degree of harmony, but the union in this instance came from something even more intimate than blood-brotherhood: from a union of ideals, ideals that were definite, fruitful, and grandiose, and the ideals were the patron's own.

That the Maryknoll structure should express the mission idea, by uniting Norman lines in stone with a Chinese decorative motif—familiar to the readers of Maryknoll's monthly, the *Field Afar*—is natural enough in a building devoted to preparation under American living conditions of missionaries for the Oriental field. It is also natural enough that the plan of outlook and the site should afford a symbol and a background for the world-embracing aspirations of youthful apostles. In the last three decades the Hudson River has become, as is said, the modern Thebaid, with all the Religious houses and seminaries that dot its banks. Of all these Hudson sites, Maryknoll is particularly happy, because the river is far enough away to stage a panorama beginning with the mountains and ending with the dim outline of the Empire State Building, in Manhattan, standing guard over the invisible ocean beyond.

The sight, however, of so many intimate and unexpected decorative features around the seminary as well as all through the Maryknoll Sisters' Motherhouse arouse the question as to how it came that Bishop Walsh, who was such an eminently practical man, gave such a cordial welcome to beauty?

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**A**N element in the Bishop's psychology was, it seems to me, closely connected with this predilection for things that satisfy the eye's quest for color, order, and form. This element, as expressed by him a few years ago in a conference, was that of unfailing optimism, which he then seized upon as the missionary's characteristic virtue.

The missionary needs this tremendous optimism as the dominant note of his life, because he is a man living ever in the future. Rarely in his own time he will see the fulfilment of his own dreams; the most brilliant tangible results are usually the privilege of his successors.

But no man, not even the most heroic, can live wholly

in the future. Like a fish in deep water, he must at times come up to breathe. Even the Saviour Himself had his moment of the Transfiguration on Mount Tabor. But beauty, as was pointed out by the Rev. Jaime Castielo, S.J., in a symposium on the "Sociology of Art" that took place on May 17 at the College of Mount St. Vincent, New York City, supplies just that escape from the grinding limitations of the perpetual toil for the future, that repose where the soul can find itself, and enjoy in a symbolic and passing manner that satisfaction which it ultimately looks forward to enjoying in the accomplished work.

For this reason I conceive that Bishop Walsh, with his own keen understanding of human nature, saw the need of intermingling with the hard, dry requirements of daily labor for the future a certain element, however passing and superficial, of realization, and that this realization is provided by the beautiful, in great lines of building as well as in small details of living.

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**T**HAT this interpretation is not wholly fanciful is borne out by some of the Bishop's well known traits, such as his universal appreciation of the good in everybody and everything. It is characteristic that even in the few lines that he bequeathed to his own Society as a sort of spiritual testament he wrote: "I have often urged you to appreciate what is good in other societies than ours." If this principle were carried out literally and universally in the mission field, the temporal problems of the missions, at home and abroad, if not ended, would be vastly reduced. "Flee jealousy as a serpent," was his motto. "Try to get the other's viewpoint. Find and admit what is good in any proposition, before objecting." As one of his gifted associates remarked: "In urging his plans he always left the door open, no matter how sharply repulsed." And it was through this considerateness of others' feelings that he won his way.

Akin to this considerateness was Bishop Walsh's almost naive enthusiasm for every good cause, every movement or undertaking which would seem to enrich the life of the Church. The liturgical movement, the home missions for the Negro, the Catholic press seemed as close to him as the foreign missions themselves. Said Archbishop McNicholas of him, in one of the most moving eulogies that one priest has spoken of another:

His prudence in government seemed to place him among the patriarchal founders of Religious Orders. His genius for organization has seldom perhaps been surpassed.

Rarely do we find the idealist a thoroughly practical man and capable of considering the value of every detail. The rarest combination of gifts were Bishop Walsh's. He saw as only men of marvelous vision can see. He arrived at decisions quietly, but in a manner characteristic of a commanding general, ready for every emergency. He loved perfection for perfection's sake. No detail was too small to receive his attention in order that some work of the Church might be done more perfectly.

When an individual can harmonize such contrary requirements in his own person, it is not strange that an enthusiast for the work of the Lord should be an enthusiast for beauty.

THE PILGRIM.

**Literature****The Ultimate Critic**

THEODORE MAYNARD

**I**N one of her letters Katherine Mansfield grieves that she had written no single story that she would like to show to God. It is an admission that every artist with any passion for perfection must make. If there are certain arts, such as architecture, sculpture, and music, in which a mathematically precise perfection may not be despised of, literature is certainly not among them. Even the finest poem is at best a mere approximation to the vision that can never be caught.

There are no doubt languages less heart-breaking than English to one who seeks to find complete and exact utterance. Latin was such a language; French is another. But as Elinor Wylie cried, at once exulting and complaining over its difficulties,

Our mutable tongue is like the sea,  
Curled wave and shattering thunder-fit;  
Dangle in strings of sand shall he  
Who smooths the ripples out of it.

The more strenuous is the effort to mould it to perfection, the more agonized is the consciousness that perfection, which seems so often to be almost attained, always eludes our grasp. Great writers who work upon a large canvas do not worry themselves unduly about it. Grumble as they may good-humoredly with Chaucer, "The lyf so short, the craft so long to lerne," they work with happy gusto, though this, alas, only too often becomes an easy condonation of slovenliness. It is from those who set themselves smaller tasks who are most acutely aware of failure. They paint, as Jane Austen said of herself, upon two square inches of ivory, and know that their work is botched. Knowing it they worry about it. But I am sure that Sir Walter Scott never troubled his honest, muddled, powerful mind that the big bow-wow style had its obvious defects.

After all, why should he have troubled himself? "The Heart of Midlothian" is no doubt a less symmetrically proportioned exhibit than "Pride and Prejudice," or even than "The Tea-Party," but he had done what he could with his special gift, and therefore had far less to fear from God than from an exacting human criticism.

It is right, nevertheless, that our criticism should be exacting, for it can deal only with the actual accomplishment, not with the extenuating circumstances of time and place, or private explanations. It is right that criticism should demand perfection, even if it is not easy for criticism to say exactly what that perfection is.

The fact is that critical taste, though not so capricious as popular approval, is forever in a state of flux. It is controlled more than it is aware by the spirit of the age. It thinks in every period that it has reached something very like finality of judgment. It makes its exactions and demands, to which creative artists are forced to submit, and to which creative artists—being, like the critics, creatures of their time—generally willingly concur, and from

which in any case they can never wholly escape. If they fail to conform to contemporaneity they are supposed to be ignorant of all the advances made by art, which is very often the case. The sentence then passed upon them by criticism is just. But when for some good reason of their own they refuse to conform, the sentence passed upon them is not less heavy. In that event their own refuge is in another tribunal.

One of the most moving passages in the recently published "Correspondence of Gerard Manley Hopkins and Richard Watson Dixon" is Father Hopkins's letter to Canon Dixon, who was at this time (1878) an obscure poet, and who is still far from being celebrated. In fact this admirable Anglican Canon is no longer generally remembered even for his monumental "History of the Church of England from the Abolition of the Roman Jurisdiction," and would probably be by now totally forgotten had it not been for his friendship with a young Jesuit who wrote poems that were too eccentric for publication during his lifetime. Consolingly Father Hopkins writes to the faithful but unsuccessful artist:

The only just judge, the only just literary critic, is Christ, who prizes, is proud of, and admires, more than any man, more than the receiver himself can, the gifts of His own making. And the only real good which fame and another's praise does is to convey to us, by a channel not at all above suspicion but from circumstances in this case much less to be suspected than the channel of our own minds, some token of the judgment which a perfectly just, heedful, and wise mind, namely Christ's, passes upon our doings.

To this Canon Dixon, deeply moved, replied:

I have to thank you from the bottom of my heart for your Letter . . . but above all, for the passage in which you point me to Christ as the great critic, the unfailing judge of the gifts which He has given. I have drawn deep consolation from that: it came upon me with the force of a revelation.

The comfort was offered by a poet as yet altogether unknown to one generally neglected. And though Hopkins is now considered one of the most remarkable poets of the nineteenth century, and though it is hard to imagine that Dixon will ever be considered as anything more than a respectable poet, the principle of criticism is perfectly sound. It is one in which all work appears *sub specie aeternitatis*. It is only in that light that it can be criticized; it is only by Christ that any work of man can be ultimately judged.

King David, when given his choice of famine or pestilence or flight before his enemies, wisely chose to fall into the hands of God rather than into those of man. And we shall all be glad that the last judge of our human frailties is to be God and not man. But no one, I think, before Hopkins, pointed out that even in the matter of the use of our artistic gifts we may appeal from earth to heaven, that after the reviewers have done their best and their worst, Christ is our critic.

Yet it is all implied in the Parable of the Talents. We remember that it was not the man to whom ten talents had been given who failed to use them, or the man who had five, or even the man who had only two. It was the man that had one talent who buried it in the ground.

What, he asked himself, could be accomplished with so little?

No doubt there are men occasionally to be encountered who underestimate their talents, who treat five talents as though they are only two; but such men are rare. More common is the man who thinks his two talents to be five. But his vanity does little harm, and is almost always drastically corrected. The real danger is in neglecting the single talent because it is hardly worth cultivating.

It is the literary talent (which was the immediate concern of Father Hopkins's letter to Canon Dixon, and which is my immediate concern) that raises a special problem, for the reason that any literary talent, as soon as the book is off the press, is evaluated by current criticism and recognized, exaggerated, or disparaged. At neither end of the scale—that is to those who possess ten talents or one talent—does contemporary criticism much matter. The genius, calmly aware of his worth, can say

Not marble nor the gilded monuments  
Of princes shall outlive this powerful rhyme.

The poetaster, content at seeing himself in print, is hardly disappointed at being ignored—for at least he escapes attack. It is the five-talent man who is puffed, and who rakes in the shekels. But the seven, six, four, and three talent people find the going hard. Dr. Johnson can give them little consolation.

Yet hope not life from grief or danger free,  
Nor think the doom of man revers'd for thee:  
Deign on the passing world to turn thine eyes,  
And pause awhile from letters to be wise;  
There mark what ills the scholar's life assail,  
Toil, envy, want, the patron, and the jail.  
See nations slowly wise, and meanly just,  
To buried merit raise the tardy bust.

Unfortunately the men of less than supreme, or notable, genius cannot count even upon the "tardy bust." They know well enough, poor fellows, that there is no use in appealing from the neglect of their contemporaries to posterity, for the simple reason that posterity already has its hands full. Ephemeral popularity (which seems so hopelessly beyond their reach) is given, after all, to a hundred for every one for whom so much as an eventual bust is destined. Fame is seen to be, even by those who, like Milton, hunger for it, the last infirmity of noble mind, and by those who are sure of it, like Dante, "nothing but a breath of wind."

Yet it is natural that the artist should expect recognition. Happy the man who is able to comfort himself as Blake did when his poem was unpublished by saying composedly: "Well it is published elsewhere, and beautifully bound." Though one may be permitted to doubt whether his "Prophetic Books" are "the delight and study of archangels," who presumably have other matters to engage their attention—for even Dante, in paying the most sublime of all compliments to a brother-poet recorded that Virgil's *Manibus O date lilia plenis* was sung not in the "Paradiso" but in the Earthly Paradise—Blake's frequently derided idea is well based. The archangels will not bother themselves about our poems, but Christ will. He is our critic, which means (in Greek) the same thing

as judge. And just as the earthly critic's main function is not condemnation but discrimination and reward, so will Christ's be.

For this reason I feel that a wrong intonation is given to the pious prayer, "Jesus, be not to me a Judge but a Saviour." Would it not be better to pray, "Thou who art my Saviour, be my Judge"?

## A Review of Current Books

### Wise Men of the East

*ORIENTAL PHILOSOPHY.* By Francis Grant. Dial Press. \$2.75.

PHILOSOPHY, which is supposed to be a world-view, is often only a hemisphere-view. The historian of philosophy has done but half his task if he has neglected the wisdom of the East. The Oriental studies of our times have done much to bring the mysterious culture of the East within the grasp of Western man. But such works are for the most part too scientific and scholarly for the average reader. There is need of more popular presentations such as the author of the present work has attempted. We are given here a bird's-eye view of the whole field of Oriental thought, a gathering of only the high lights within the covers of one volume.

To make the picture at least attractive seems to have been the author's special aim. She offers us a sort of Oriental spiritual pageant in five scenes: India, China, Japan, Persia, and Arabia. One by one the Sages of the East, each garbed in holiday attire, are led across the stage against a rosy-tinted background from which every seam or blot or blemish has been carefully rubbed. The life stories of the idealized Buddha, Confucius, Zoroaster, and Mohammed are interestingly told. The biography of a Sage is the story of his spirit, of his steadfast fulfilment of that mission to which he feels his life specially consecrated, and we never lose sight of this inner development which serves the author as a vehicle for conveying the Teacher's system of thought.

The picture is attractive, but it seems to be altogether too pretty for perfect truth. The writer becomes so lost in her pageantry that, as though afraid of robbing Oriental lore of its ethereal spirituality, she sets down not even one word of critical scrutiny, or of sober judgment, or of rational evaluation.

Philosophies of the East are notorious for their lack of scientific logic, which is part of Greece's great heritage to the world and has been the mark of Western thought ever since. We do not expect to find logic prominent in a story of Oriental philosophy, since the absence of it is a characteristic of the subject, but we do expect to find at least some place for it in a work intended for Occidental readers. We expect to find clear-cut distinctions between what is fact and what is myth, what is historical and what is legendary, what is purely a matter of religion and what belongs to the philosophy underlying that religion. This the author has neglected.

Besides, one resents the constant invitation to pantheism, which runs like a theme through the work and gives it an air of propaganda. Everywhere the reader meets the thesis: Truth is one. Men call it by different names. Each philosophy is but another facet in the crystal of human thought. Brahma, Pragapati, Shanti, Ahura Mazda, Allah are but other names for what the Christians call God. Siddhartha, Niggantha, Confucius, Lao-tze, Zoroaster, Mohammed are all His chosen ones to lead men by different paths to the same goal, the goal of all mystic experience: the union of the human spirit with the Ineffable One. They were the inspired Seers of the East just as Christ was the Great Teacher of the West.

We need not detract from the greatness of the Oriental Seers. The sincerity, devotion, and even heroism with which they fulfilled what seemed to them their mission stands before the world. But to place them on a level with Christ is blasphemous to the ears of every Christian who looks on Christ not only as Man but as infinitely more.

AUSTIN FAGOTHEY.

### Our Legislators

*THE STORY OF CONGRESS, 1789-1935.* By Ernest Sutherland Bates. Harper and Brothers. \$3.00.

LAST year the Hon. Dewey Short, a Republican Representative from Missouri, rose up in his considered wrath to state that the House was a "supine, subservient, soporific, superfluous, supercilious, pusillanimous body of nitwits." It is not clearly of record that Dr. Bates entertains the same opinion of all Congresses which have met since 1789, but the reader must continually fight the suspicion that he does. It is somewhat clearer that he looks upon the course of government in this country as out of joint from the beginning, and like another Hamlet sees himself born to set it right. But in the lot that has fallen to him (or has been assumed and borne with much labor and erudition) he perceives no cursed spite; rather, he enjoys the task. We know that as soon as we read on the first page of the introduction that Samuel Adams and Patrick Henry were demagogues; a charge not particularly novel, but still lacking proof.

Our fathers founded this Government, thinks Dr. Bates, influenced by "a dream of democracy born amid the roar of cannon and the shouting of marching mobs." But capitalism forthwith replaced the dream with a nightmare. The Constitutional Convention was composed almost entirely of men of property who met at Philadelphia to draw up a plan of governing the people without their consent, and the first Congress followed suit. A "fair sample" of this body would be made up of "men of substance, promising a full harvest to the hungry tradesmen of New York." It may not reflect the mind of Dr. Bates, but the composite picture of government from 1789 to 1935 which these pages present vividly recalls the meeting of Alice, the Mouse, the Lory, and the Dodo, after they swam out of the pool of tears and discussed what Stigand, the Archbishop of Canterbury, found as he set out to offer the crown to William the Conqueror. Whatever it was that the Archbishop found, it is plain that Dr. Bates does not find much that is pleasant in the picture of government in this country.

Partiality is a most damning fault in the historian, and Dr. Bates is infected with it. Clearly, an immense amount of labor has been spent on this book, but Dr. Bates is so intent on proving a thesis that he is unable to weigh the force of anything that goes against it. Perhaps the most useful pages of the book are those which list the sessions of Congress from March 4, 1789, to January 3, 1935. Anyone who has ever tried to find out just when the first and second sessions of the Thirteenth Congress, for example, began and ended will value it. Dr. Bates has made a valiant attempt, but the story of Congress in one or two volumes remains to be written. There is a good index, but no bibliography.

PAUL L. BLAKELY.

### Newer Ideals

*I KNEW THEM IN PRISON.* By Mary B. Harris. Viking Press. \$3.00.

THE challenging problems encountered during more than two decades of work in a number of correctional institutions for juvenile and adult female offenders supply the material for this fascinating book. The detailed account of "advanced" thought in the field of penology is unfolded through its successive stages with a bias of sentiment perhaps not unwarranted.

The author in a very few pages wins over the reader to a sympathetic appreciation of her problems which began amid the discouraging surroundings and primitive system of the old Work-

house for Women at Blackwell's Island, where Miss Harris received her baptism in penal work, to these which were and are not foreign even to the ideal correctional institution for women established by the Government at Alderson, W. Va.

Placing emphasis on reformation through kindly supervision and understanding, conceding the maximum of privileges, and breaking down in no small measure the consciousness of detention so frequently detrimental to reformation was a task at times almost discouraging. The story of misunderstandings and of disappointments, ranging from those involving higher officials and the staff to those concerned with the inmates, cannot but impress the reader.

In a sense, the book may be considered a contribution to the study of penology, not in that it gives expression to any new ideas regarding the treatment of delinquents and criminals, but in that it gives tangible evidence that the newer ideals of reformation are practical. It is refreshing, moreover, to find Miss Harris stressing the moral and religious side of reformation, particularly when so many theoretical penologists of today are brushing aside these elements as remnants of medievalism.

An example of inmate self-government, expressive of Miss Harris' confidence in her method of reformation, forms the contents of one of the most enlightening chapters of the book.

The author, now superintendent of the Federal Industrial Institution for Women at Alderson, W. Va., is a graduate of a well known mid-western university, a former social worker connected with Hull House in Chicago, and a scholar of wide and varied interests.

The book, autobiographical to a great extent, is entertainingly written and should be well received. Here and there, the author breaks up the seriousness of the work by introducing anecdotes of a lighter character which, however, seem to lose their humor in the pathos that underlies them.

The book is recommended to students of social pathology.

LEO J. ROBINSON.

### Shorter Reviews

*GOD AND MAMMON.* By François Mauriac. Sheed and Ward. \$1.00.

THIS book by a distinguished French novelist is like most of the *Essays in Order*, rather chaotic, jerky, and surprising. It does surprise one with good things, but sometimes the arid stretches between the good things are very arid. Here, for instance, is the sort of thing that Catholic teachers might be surprised at but might look into.

I must ask the Marionite Fathers who educated me to forgive me if I affirm that, round about the year 1905, their religious instruction was practically non-existent; it consisted of less than two hours a week and neither the masters nor the boys attached much importance to it. I am certain that not one boy in my class would have known even broadly the sort of objections that a Catholic had to answer during the first years of the century.

That is interesting, but here is something un-Catholic. "I knew that the Christian God demanded everything. I knew that He had no part in the flesh, and that the world of nature and the world of Grace were two and inimical." St. Thomas says that Grace builds upon and perfects nature. Christ Our Lord says that He came not to destroy the law but to perfect it. In general those who hold that Grace and nature are inimical are Puritans filled with that potent poison of a false spirituality which is more hateful to the Church than frank sensuality. W. B.

*THE FOOL HATH SAID.* By Beverley Nichols. Doubleday, Doran and Company. \$2.00.

THIS book essays to convince the modern rationalist and pagan, by arguments from reason, that there is a God, and that the historical evidence of the person and teachings of Christ, the Son of God, is unassailable. It is likewise semi-biographical, for the author found faith in Christ by the intellectual process of examin-

ing the credentials of Christianity. He found, too, happiness and great peace of heart, and his confessed motive in writing the book is to share his treasure with others. His volume is an apology for Buchmanism.

The evident sincerity of the author makes praise easy. There is nothing synthetic about his religious enthusiasm. The deep feeling that he possesses truth in knowing Christ is constantly interrupting his argument with passionate protestations of faith and gratitude.

I sincerely hope that the author soon finds by further study of the words of the Divine Teacher and of the tradition of the early Church to which he attaches so much value that there are many truths which as yet he sees but darkly or not at all. Let him search for Christ's answer to the question of whether His words were to be taught and explained by a Divinely appointed authority; let him study the way Christ ordained that sin was to be forgiven. It will lead him, to the door of the Church which must exist because Christ said "Thou art Peter, and upon this rock I will build my Church, and the gates of hell shall not prevail against it."

He will find there far more lasting peace than in an Oxford Group revival. And he will probably then write another book and confess that St. Paul did not distort Christ's teaching on sex and that a priest of God can wear the uniform of an army chaplain, and still love God and his neighbor.

R. A. H.

*THE ESSENCE OF SPIRITUAL RELIGION.* By D. Elton Trueblood. Harper and Brothers. \$1.50.

THE very title of these essays on religion causes us to wonder whether the author knows what it is all about. Religion is either spiritual or it is not religion. Talking about spiritual religion is about as sensible as discoursing on material matter. When the author goes on to draw a hard and fast line between spiritual and what he calls "formal, literal, legal, ceremonial, hierarchical, sacerdotal, creedal" religion we are sure he is spoofing us. For it is an historical fact that those great saints like Augustine, Gregory the Great, Thomas Aquinas, Bonaventure, and others who led most interior, spiritual, lives were keenly interested in being sacerdotal and creedal. An antithesis between a supposed primitive spiritual religion of Jesus and a later "institutionalized" way of St. Paul and others dates from the so-called Reformation and is pretty nearly dead and buried except in such books as this. A. G. B.

*A SOURCE BOOK FOR MEDIEVAL ECONOMIC HISTORY.* By Roy C. Cave and Herbert H. Coulson. Bruce Publishing Company. \$2.50.

THE collaboration of an American economist and a Cambridge-trained historian, this *Science and Culture* Text gives in translation more than 300 documents illustrative of European economic institutions from the barbarian invasions to the end of the thirteenth century. These are exceptionally well arranged under six main topics subdivided into 26 sections, which include: agriculture, forestry, mining, trade, fairs, transportation, money, prices, loans, and partnerships; town economy, guilds, and industry; slavery and serfdom; wealth and property; tithes, tolls, and feudal dues. Each section is prefaced with a lucid historical sketch, each document with an explanatory paragraph. The immediate source of the document is given, as also the original source and the date. A glossary of medieval economic terms, a satisfactory bibliography of both source collections and modern works, and an excellent index of twenty pages make the book complete in every respect.

The undue emphasis on England so frequently found in American books on European history has been avoided, and the matter has been limited to what is strictly pertinent to economic practice. Many of the documents are newly translated from the Latin, French, or German, but to make the book complete in itself the authors have incorporated a judicious selection from documents already available in English but scattered in various publications. In general, the endeavor to present a balanced and comprehensive

account of the economic life of the Middle Ages has been as successfully accomplished as can be expected in a single volume of less than 500 pages.

L. P. M.

### Recent Non-Fiction

*GIVE ME LIBERTY.* By Rose Wilder Lane. After seeing with Communistic eyes for some years and experiencing that in Russia there is not "an extension of human freedom, but the establishment of tyranny on a new, widely extended and deeper base," the author has returned home to wave the American flag rather strenuously. She sees that Communism is not an earthly paradise, but just another earthly Utopia gone to hell. One fears, though, from many things in the book that she does not see that rugged individualism is just as great a mistake as Communism. (Longmans, Green. 50 cents.)

*NEW FACES-NEW FUTURES.* By Maxwell Maltz. Various heart-breaking examples are related in detail about afflicted patients who were benefited by plastic surgery, but no mention is made of the many who have been made worse by such treatment. The book is really a series of laudations of the author's skill in repairing damaged faces, and thus would seem to offend medical ethics, though he states that the case reports are not offered as success stories. (Richard R. Smith. \$3.00.)

*BEWILDERED PATIENT.* By Marian Staats Newcomer. A particularly interesting and well written book. It contains a great deal of information for everybody in regard to healthy as well as diseased conditions of the human body; and it stresses the proper attitude of the possible patient toward the member of the medical profession. Although the author is a physician herself, she is not averse to admitting the faults which many doctors display in their treatment of the sick, but she shows that more often the real difficulty lies in the approach of the patient to the physician. One outstanding point which is repeatedly urged is that a human being is more than a machine, and consequently success in the cure of illness can be expected only when the immaterial part of his composite receives adequate consideration. (Hale, Cushman, and Flint. \$1.75.)

*WOMEN AFTER FORTY.* By Grace Loucks Elliott. While for some people, mental powers seem to remain practically unimpaired up to the time of death, it is nevertheless true that whatever the individual variation in mental and psychical abilities, the second half of life has its peculiar problems of adjustment. This book is an attempt to assist in this adjustment, but the chapter on religious interpretations is a mixture of pantheism and psychoanalysis, and generally the style is so verbose as to hinder its intelligibility. (Holt. \$1.25.)

### Recent Fiction

*JAMAICA INN.* By Daphne du Maurier. The coach hurried by the door of the Inn in fear; decent people avoided the old hostelry even in broad daylight. But there were times at night when strange carts wheeled up to its back door, and stranger characters crowded about its bar, carousing with the gorilla-like man whose trade was to prey upon ships, to murder their crews, and to steal their cargoes. There is not a dull page in this book. It is a better-than-average novel, and will repay the reader who likes a lusty story wherein murder is just an incident. (Doubleday, Doran. \$2.50.)

*THE SECOND KEY.* By Mrs. Belloc Lowndes. This is a story of illicit love, jealousy, murder, and suicide. Though treated with some delicacy, the illicit love affair looms too large in the picture. Murder is hardly consistent with the character of the criminal as previously drawn. Suicide has become a rather threadbare exit for a murder story. Working back from the crime there was good material for a detective story; leading up to it, this author of many fine novels has produced a sordid love tragedy that is neither fresh nor particularly interesting. (Longmans, Green. \$2.00.)

## Communications

*Letters to insure publication should not, as a rule, exceed 500 words. The editors are not responsible for opinions expressed in this department. No attention will be paid to anonymous communications.*

### Protest

*To the Editor of AMERICA:*

I wish to make a protest against the attitude manifested against wealthy people and corporations in an editorial of your April 25 issue, "The Labor Spy."

Wealthy people and corporations have the same indisputable right to self-preservation and self-maintenance as any individual. There are just too many, in high Catholic places, nowadays, who are overzealous for the workingman and his rights, and in their zeal forget entirely the fellow that makes it possible for the workingman to get some or any employment. Justice demands facts before condemnation. Prejudice avails nothing. When Administration leaders and Church leaders make people class-conscious, and try to persuade them that they are not getting a square deal, they become benevolent broadcasters of the seeds of Communism.

It is high time that employes and labor unions have patience and charity preached to them. These two virtues, applied with a little common sense, will get them somewhere. Strikes, which cause unjust suffering to the innocent third party, get them nowhere.

Boulder, Colo.

AGATHO STRITTMATTER, O.S.B.

### Catholic Libraries

*To the Editor of AMERICA:*

There is, as Ward Clarke wrote in a recent article, a surprising growth of Catholic libraries all over the country, but still more surprising is the fact that this means of spreading Catholic thought has been so little used. For the information of readers a list of Catholic libraries in the vicinity might be printed occasionally in our Catholic weeklies.

Special attention should be called to a circulating library at the Cenacle, Lake Ronkonkoma, Long Island, which is, for several reasons, most usable. Its rules are made in keeping with the idea that the use of the library should be inexpensive and easy. The life-membership fee of one dollar entitles one to borrow books at any time. Each book may be kept one month, and the rental charge for that entire period is five cents. As the library is not near any large city most of the borrowing is done by mail. Here again the cost has been reduced. By special Post Office permit the average mailing cost is four or five cents for two books. The catalogue of more than one thousand volumes testifies to the successful endeavor to keep step with recent publications. Frequently the latest in Catholic fiction and the just out biography or philosophy have been carried to my door on the wings of a five-cent stamp.

This library is conducted by the Religious of the Cenacle, and their stated aims, the spread of Catholic literature and the apostolate of good reading, have been kept steadily in view.

New York.

ANN McCORMACK.

### School Days

*To the Editor of AMERICA:*

A London priest, Father McAvoy, S.J., in addressing a school which he had founded, proposed a simple means of conserving the gifts of childhood. He would shorten the school day by sending the pupils home at 2 P.M., and thus make it possible for them to do their homework and get to bed early. Afternoon school, he said, was a waste of time. Unquestionably, shortening the elemen-

tary school day would usher in the much-needed educational revolution. All-day schooling makes children dull, indolent, unteachable. What little learning they acquire through the breathless struggles of a teacher all day and parents all evening, they should get by their own industry with a snap. Properly instructed children can readily learn in ten or fifteen minutes a day, all that is new and useful to them as individuals in the entire day's program of the modern public school, provided they have learned at home to obey, to attend carefully to instructions, and to work without loss of time.

This calls for individual instruction. The School of Individual Instruction, established in 1908, functioned twenty years without a failure. Pupils by the age of ten were well grounded in English, Latin, German, French, and oral arithmetic. They have graduated *cum laude* from our universities. But this was not a play school, like its widely advertised imitators. It was a work school. Parents had to do their part. I accepted no pupils from kindergartens. The plan has proved a success repeatedly in public schools and in many thousand homes. Readers may have literature by addressing the School of Individual Instruction, Minerva, N. Y. Please send stamps.

Minerva, N. Y.

ELLA F. LYNCH.

### Banks

*To the Editor of AMERICA:*

In his article on Peter Skarga, S.J., appearing in AMERICA for February 8, Father LaFarge recalls the establishment by this great apostle of Cracow of his "Bank of Piety" in 1584. It is well, too, to be reminded that cooperatives for social security and economic independence of an older day were none the less efficient for having fallen from the lap of religion as Christian brotherhoods or confraternities.

However, from the abbreviated account referred to, one easily gets the impression that an isolated *Monte di Pietà* in Rome during the reign of Paul IV, from which Skarga drew his inspiration, was the first and only institution of the kind in existence. Would it not have been more to the point by way of emphasizing the Catholic origins of our modern credit unions to have simply alluded to the *Monti di Pietà* as an institution dating back to 1470, operating all over Italy and showing a fine technique when Skarga became acquainted with the idea?

Students of the subject, as in the case of the contributor to the "Catholic Encyclopedia" on the topic *Montes Pietatis*, seldom fail to associate these benevolent institutions with its outstanding champion, Blessed Bernardine of Feltre and his contemporaries, Blessed Angelus of Clavasio and Blessed Anthony of Vercelli. These pioneers of cooperatives for extending credits in money and grain were obliged to fight for them on two fronts. There was the obvious obstruction on the part of the Jewish money lenders and the equally bitter opposition from certain ecclesiastics who regarded all interest taking and service charges for accommodations of money as immoral.

It was precisely this latter controversy which occasioned in 1515 the Bull of Leo X, "Inter Multiplices," approving by name the *Montes Pietatis* and declaring in favor of the practice of these brotherhoods of charging and accepting a premium for services rendered and for efficiently managing their business. This chapter of ecclesiastical history can throw valuable light on the question of interest taking, especially in our day when appeals are being made to moralists to be more specific in point.

St. Louis, Mo.

MAXIMUS POPPY, O.F.M.

### Credit

*To the Editor of AMERICA:*

In the issue of AMERICA for January 25, James P. Fitzgerald in an article entitled: "Is Interest Moral?" challenges the system whereby banks lend money and thus create demand deposits upon which they charge interest as indefensible. Furthermore,

he says, no economist has even attempted to defend the system.

An economist worthy of the title probably believes the system is no more in need of defense than the mathematician believes that the axiom, two times two equals four, needs a defense. For in economics there are certain immutable laws. To take an example: a man by arduous toil may cut a dozen cords of wood. If he requires for himself only ten, he then has a surplus of two which represent his savings or capital. This surplus represents purchasing power. With it he can, for instance, buy a pair of shoes. Usually money will be required as a medium of exchange but its use is merely a convenience, not an essential, in effecting the exchange. To create promiscuously and distribute to every man in the community enough money to represent at face value the price of two cords of wood would not provide every such man the means to buy himself a pair of shoes. Such purchasing power must be earned. It cannot be created by fiat money.

Yet this confusion of money with wealth is the fallacy upon which all money inflationists base their promises. A bank does not create something out of nothing. The bank is merely an agent to translate for the benefit of society legitimate potential purchasing power into immediate purchasing power or bank credit. As an agent performing a useful function it is naturally entitled to compensation or interest. Furthermore, the charge of interest tends to prevent needless and excessive conversion of potential purchasing power into immediate purchasing power and thus limits the extension of bank credit to an amount that is legitimate and profitable to the borrower. Legitimate business profit is a vital factor in the capitalistic system. To extend bank credit promiscuously without cost would be similar to attempting to place in the hands of every man money to purchase a pair of shoes which he has not earned. In other words, if we refuse to admit that the farmer with every reasonable assumption of reaping and marketing his crops in a few months or the manufacturer converting raw material and labor into the finished product is entitled to convert at least part of his expected purchasing power into immediate purchasing power through the use of bank credit, then we cannot countenance the function of the bank in extending credit. To destroy this basic function of the banks would be to revert to the economic "horse-and-buggy era." Legitimate bank credit is the leaven of modern production.

the Seawell Co.,  
Philadelphia, Pa.

THOMAS E. MORRIS.

Catholic But Interesting

*To the Editor of AMERICA:*

The article "Accent on the Catholic Press" in AMERICA, May 9, prompts me to comment briefly on another department of Catholic literary activity, namely, Catholic books. In the religion classes at St. Louis University we require a monthly written book report, the books to be chosen from carefully compiled lists of about seventy-five titles each. This is our experience: Catholic students like Catholic books; young students have to be compelled to read them; they are grateful for the compulsion.

As freedom of expression is encouraged, the verdicts are naturally not all in the same tone. Occasionally the opinion is:

"I would strongly recommend this book to a high-school girl. The phrases are too honey sweet, and too artificial for one who listens to the commonplace prattle of college boys during the day, and the lewd profanity of a particular group of truck drivers at night." (This about a beautiful book of one of our prominent Catholic authoresses.)

But the judgment generally voices approval or even rings with enthusiasm and—strange to say—surprise that a Catholic book could be interesting.

"Unlike most books in religion, this one is exciting and holds your interest to the last page."

"This book is the most interesting Catholic novel I have ever read. I might add—one of the most interesting I have ever read, even though it is Catholic."

Experience has shown us that good Catholic book-lists can be prepared, comprising novels, apologetic and historical works.

St. Louis, Mo.

S. J. RUEVE, S.J.

## **Mothers**

*To the Editor of AMERICA:*

The good editor was a bit unfair in his eulogy of the "Stay-at-Home-Mother." There is only one test of a good mother and that is the type of children she raises. It makes no difference whether she be a stay-at-home or a run-about! For not every stay-at-home has exemplary children, nor does every run-about turn out failures. It is a question of system, method, and purpose. This age has brought leisure to mothers. If the stay-at-home wishes to use this leisure to add another ruffle to the bedroom curtains, that is her affair. But it does not make her a better mother than the one who jams a perky Brittany sailor over her artificial curls and goes to see that her local Congressman signs on the dotted line. Nor is the stay-at-home necessarily improved in quality by an afternoon nap on a day the wash was heavy, while a more energetic woman closes the tub, gives the children a substantial lunch, forgets her fatigue and hurries to the welfare-committee meeting where she finds a chance to be a mother-at-large! I know scores of women who find time for definite civic services whose children are a credit to them. They glow with the verve of activity and are no less motherly. Perhaps our Lady herself gives them special strength!

"She stayed at home" is a sentimentally perfect epitaph. But perhaps she died of the Twelve-Pound Look!

Flushing, N. Y.

MARIE DUFF.

## In Desperate Need

*To the Editor of AMERICA:*

The Marquette League, 105 East 22nd Street, New York City, whose work is for the Catholic Indian Missions of this country and Alaska, makes a special appeal each year at this time for some one of its needy missions. This year the appeal is made in behalf of the Franciscan Sisters of St. Mary's Indian Mission School, Odanah, Wis. For over fifty years these Sisters have conducted their school for the Chippewa Indian children of northern Wisconsin. In all that time, this is their first public appeal for assistance. The Sisters write:

A heavy cut in the financial aid rendered our school for over forty years by a generous benefactor; the complete failure of most of our crops; much repair work on our buildings that had to be done to save them; the bills which we have not been able, as yet, to pay; combine in forcing us to make this public appeal, the first in our history of a half century. Then, in addition to these reasons, the disastrous fire at the Catholic Indian Boarding School at Bayfield recently, adds to our problems. It has been decided not to restore the Bayfield Mission School because of the heavy expense entailed, and we have been requested to take over the Indian children now enrolled there. This means that ours will now be the only Catholic Indian Boarding School in Northern Wisconsin. Again, we have only frame buildings. They deteriorate rapidly in our severe climate and the expense of keeping them in good condition is heavy. Please help us in our dire distress.

His Excellency, Most Rev. Theodore H. Reverman, D.D., Bishop of Superior, Wis., in whose diocese St. Mary's School is located, also writes:

"Kindly do what you can for the good Sisters. If their school is forced to close for lack of funds it will be a great calamity. Their appeal has my blessing and approval."

Surely our Catholic people will not turn a deaf ear to the plea of the zealous Franciscan Sisters. What a pity it would be were these little Chippewa Indian children lost to the Faith because of our lack of interest in their welfare. Help the Sisters to keep the doors of their school open to these children of the forest by responding as generously as you can to their worthy appeal.

New York. Rt. Rev. Msgr. WILLIAM J. FLYNN, P.A.,  
*Director General, Marquette League.*

## C h r o n i c l e

**Home News.**—On May 18 the Guffey Coal Stabilization Act was declared unconstitutional by the Supreme Court. The majority of five, holding that the inter-State price-fixing provisions were inextricably linked with the wages-and-hours regulations which were declared an invasion of States' rights, threw out the entire Act, while reserving judgment on the validity of price fixing. The Chief Justice joined in rejecting the wage-and-hours regulation, but maintained that the price-fixing regulations were legal and separable. Congress had specifically provided that the titles of the Act were separable. On May 20 a new Guffey bill was introduced in Congress. The labor provisions were omitted and the inter-State price-fixing provisions retained. On May 18 the Supreme Court ruled that because the Grain Futures Act of 1922 was written in the present and not the past tense, Arthur W. Cutten could not be barred from trading on the grain markets. On May 18 the United States Court of Appeals for the District of Columbia held unconstitutional the provisions of the Federal Emergency Appropriations Act of 1935 setting up the Resettlement Administration. The Senate ratified the London naval treaty on May 18. The Senate Finance Committee continued its discussions on the tax bill, considering an increase in income taxes to help produce the desired revenue. On May 17 Senator Copeland announced plans for an inquiry into personnel of the American merchant marine in order to increase the safety of American vessels. The House committee resumed its hearings on the Townsend plan on May 19 with Dr. Townsend testifying. Congressional leaders began plans for an adjournment on June 6. President Roosevelt said that the only "must" bills were those on relief and taxes. On May 15 the President signed the \$572,446,844 War Department appropriations bill. On May 18 the United States negotiated a silver-purchase agreement with China. The proceeds would be maintained chiefly in New York for Chinese currency stabilization purposes. On May 18 ex-President Hoover issued a statement that he was not a candidate for the Republican nomination, but that he wanted to get the critical issues before the country. On May 20 Governor Lehman of New York announced that he could not be a candidate for a third term.

**French Cabinet Forming.**—Leon Blum, the Socialist Premier-designate, continued during the week his consultations looking toward the formation of his Cabinet. On May 14 the Communist leaders explicitly refused to take part in the new Government; at the same time, however, they promised that they would support without reservation the social and economic measures undertaken by the Popular Front Cabinet. M. Blum, if reports may be trusted, made desperate efforts to persuade Edouard Herriot to accept the ministry of Foreign Affairs. On May 20 it seemed certain that M. Herriot had definitely re-

fused the post, the reasons being that he was out of favor with many in his own party, that he was in favor of the anti-Italian sanctions, and that he was publicly known as an advocate of War-debt payments, three factors that, he felt, would minimize his value in the Blum Cabinet. Observers were still in some doubt as to the interpretation of the remarks made by the Premier to the American Club in Paris on May 15. Certain sentences seemed to mean that M. Blum was openly in favor of his nation repaying its debt to the United States, and the world press commented on this with great interest. Later, however, observers withdrew from this position, and further remarks attributed to M. Blum implied that he was not really reopening the question.

**Spanish Schools Closed.**—By a decree published in the official *Gazette* on May 17 the Government's new Minister of Education, Francisco Barnes, ordered the immediate closing of ten Catholic schools and the expropriation of the properties. The primary and secondary courses being given by religious Orders in these schools—situated in Madrid, Galicia, Murcia, and Cartagena—were to yield immediately to non-religious instruction given by lay teachers. Some 10,000 parents in Cartagena and 600 in Orense were reported as holding mass meetings to protest against this quick move by the new Government. On the next day sixty-two cavalry officers stationed just outside Madrid were arrested on charges of insubordination. Although a strict censorship prevented details of this action from being published, it was thought that the new Premier had seized occasion to rid the troops of officers thought to entertain Royalist sympathies. Many of the officers had taken part in the 1932 Monarchist revolt led by General San Jurgo. They had recently refused to obey orders transferring them to another post after a clash with Communist disturbers.

**Ethiopian Reports.**—Reports from Addis Ababa via Jibuti on May 17 stated that more than 1,000 accused looters had been arrested by Italian military authorities in the capital and that those found guilty by the martial tribunal were summarily shot. No figures on the numbers of executions, however, were contained in the report. From London at the same time came a report that four newspaper men, including a correspondent of the *New York Times*, had been expelled from the country. In Rome the Premier, as part of the jubilation over the national victory, ordered the release of 495 prisoners serving time on the penal islands for political offenses. Rumors that Premier Mussolini was to be declared Chancellor were denied.

**Reforming the League.**—Speaking to 7,000 Conservative women on May 14, British Prime Minister Stanley Baldwin announced that his Government would try to reform drastically the League of Nations so as to "make the League at last what it was hoped to be at the beginning—a universal League." Thereby, he hoped, the United States, Germany, and Japan would be impelled to revoke

previous decisions and assume its membership. Probably at the autumn meeting of the League, said Mr. Baldwin, these plans would be brought up. The failure to operate in the recent crisis of Article XVI, which provides for measures against an aggressor, and the need of better provision for acting promptly under threat of war under Article XI, indicated where reforms should be made.

**Guatemala Leaves the League.**—The League secretariat received on May 15 a cablegram from Acting Foreign Minister Gonzales Campo of Guatemala, informing it that his Government had decided to withdraw from the League of Nations. The decision was thought to reflect the influential position of some Italians in Guatemala's economy. Guatemala has not been enforcing sanctions against Italy. Venezuela has accredited a permanent delegation to Geneva. Her position as an oil-producer makes her particularly welcome at Geneva. Uruguay's Foreign Minister expressed to newspaper men an opinion unfavorable to sanctions. In the meanwhile, the different Mediterranean nations were held close to sanctions for fear of Italy's sea power were Great Britain to lose hold.

**Nazis Reject Religion.**—An official decree issued by Rudolf Hess, deputy leader of the Nazi party, forbade all the higher party officials to hold office in any church body or religious organization. The ruling was made public in response to an inquiry from the pagan German Faith movement. Through the Hitler Youth association the younger generation is being taught to look upon religion with indifference. The attitude of Nazism to religion was manifested at the burial of Julius Schreck, trusted Hitler chauffeur. The highest members of the party, including Hitler himself, stood about the grave, while all ceremonies connected with religion were studiously omitted. Persecution of Catholic priests continued. Father Franz Fischer of Wanne-Eickel was fined \$120 for alleged "libel against Alfred Rosenberg," Reich cultural dictator and foe of the Catholic Church. Catholic parents were imprisoned in Klein-Hausen for protesting against the closing of a Catholic parish school. Catholic diocesan papers were forbidden to carry reviews of motion pictures, thus preventing them from condemning films which attack Catholic doctrines.

**German Colonial Plea.**—Count Lutz Schwerin von Krosigk, Finance Minister, pleaded for the return of the German colonies as necessary for economic recovery. A sharp shrinkage in April exports and an increase in imports reduced the favorable trade balance to its lowest point since the Schacht export-subsidy plan was introduced. Seven German veterans' associations, answering greetings from French societies, expressed their desire for a Franco-German understanding. Regular dirigible service to the United States awaited the outcome of the ten experimental flights of the Zeppelin Hindenburg.

**Schuschnigg Assumes Control.**—After taking over command of the Fatherland Front, only legal political

organization in Austria, Chancellor Schuschnigg, reaffirmed his determination to disarm the Heimwehr and to put an end to dual leadership in Austria. Public expression of support from Premier Mussolini of Italy strengthened the Chancellor's position. Considerable opposition from Heimwehr leaders was expected. Reports indicated that Chancellor Schuschnigg intended to form a strong Austrian army.

**Dublin Abolishes Senate.**—Eamon de Valera, President of the Irish Free State, introduced a bill in the Dail Eireann for the abolition of the Senate. The immediate intention of the Government is said to be to rule the country through the Dail Eireann until the next general election. It is problematical whether the Free State will ever restore the two-chamber system of government. Followers of former-President Cosgrave have asserted that with the abolition of the Senate, dictatorial powers will be given President de Valera. Public opinion, however, seems to be little perturbed by the exceptional powers the absence of the Senate will place in the hands of the present Administration.

**London Bankers.**—The desperate efforts of Dr. Hjalmar Schacht, Minister of Economics and president of the Reichsbank in Germany, to stem the tide of economic ruin caused by the large expenditures on German armaments have caused the banks of London and the insurance companies of Great Britain to abstain from giving fresh credits to Germany. This action was said to have been precipitated by the new powers conferred on Col.-Gen. Hermann Goering in superseding Dr. Schacht as economic adviser to the German Government. This nervousness regarding the German financial situation is expected to react in Dr. Schacht's favor.

**British-Soviet Naval Discussions.**—Naval negotiations between Great Britain and Soviet Russia opened in London on May 20. The purpose of the conversations included a bilateral agreement which would bring Russia into the provisions of the recent London naval treaty and thereby clear the way for Germany to be brought in later. While in general the two Powers agreed on matters of naval policy, a special obstacle was found in the Soviet refusal to limit their navy in the Far East except by a specific agreement with Japan. According to the Soviet idea, the proposed bilateral treaty should deal only with Russian naval strength in Europe, and Russian war craft in the Far East should not be limited until Japan agreed to accept the same terms. The British, however, were said to believe that the Japanese, even without signature would not violate the terms of the new naval treaties if they knew that the other Powers were keeping to them.

**Trial for Arctic Terror.**—A sensational trial was begun in Moscow on May 17 of the former director, I. D. Simenchuk, of the scientific station on Wrangel Island, in the Arctic Ocean, on the charge of murder, cruelty, and inefficiency, together with S. P. Startsev, a young dog-

sled driver. Simenchuk was accused of having induced Startsev to murder the station's surgeon, Dr. W. R. Wulfson, to have attempted to murder Dr. Wulfson's wife. Startsev's wife also died mysteriously. Charges of embezzlement of more than 5,000,000 rubles in social-insurance funds were brought against nineteen former executives of the Ukrainian Trades Union Council.

**Cuba's New President.**—On May 20 Dr. Miguel Mariano Gomez y Arias was sworn in as Cuba's sixth constitutional President. The President's inaugural address reviewed Cuba's pressing problems and recommended careful study of the social, economic, and agricultural problems confronting the country that proper and adequate legislation might be introduced. Restoration of foreign credit and the reduction of administrative expenses were also stressed. His inauguration ended a series of provisional administrations since the downfall of the Machado régime in August, 1933.

**Bolivian Coup.**—On May 17 President José Luis Tejada Sorzano was forced to resign as Bolivian Army officers and civilian members of the Socialist party seized the Government in a bloodless coup. The new régime announced that Col. David Toro, hero in the Chaco war, had been selected as President. A contributing factor in the overthrow of the Government was stated to be the continuance of a "state of war" in the country even after the Chaco conflict had ended. The political situation had been so uncertain since the collapse of the old parties that a "political strike" was virtually in effect. In the absence of Colonet Toro, Colonel Busch, acting chief of the Army general staff, announced that a junta composed of Army officers and Socialists would direct the country and "organize a new fatherland upon the principles of social justice, equity, and equality."

**New Cardinals.**—It was reported on May 18 that the Holy Father had called a secret consistory to be followed by a public consistory on June 15. At the same time the foreign dispatches said that the Pope would give the red hat to two ecclesiastics. Msgr. Mercati, prefect of the Vatican Library and former assistant to the Pope when the latter was librarian at the Ambrosian Library in Milan, was one of the prelates to be raised. The other was another official in the Vatican Library—Msgr. Tisserant, who served some years ago as the Pope's legate in the coronation of Haile Selassie. These two elevations, together with the unexpected death on May 21 of Cardinal Lepicier, would change the number of Cardinals in the college to sixty-eight.

**North China.**—A large skeleton force of Japanese Army officers has been scattered along the Peiping-Mukden Railway and established a Peiping, Tientsin, and Tungchow ready to take over command of Japanese soldiers in North China in the event of an outbreak of a war between Japan and Russia. The increase in the Japanese garrisons in North China is regarded as a

definite move for an absolute Japanese domination of Hopei and Chahar. Chinese officials fear that the present acute internal difficulties in Japan may serve to hasten the creation of outside diversion, in which case North China will be the logical scene of military activities. Meanwhile, China, in a formal protest to Tokyo against widespread smuggling in North China, demanded immediate cessation of Japanese interference with the Chinese customs service. The protest accused the Japanese and the North China authorities of open connivance in giving smugglers extra-territorial protection. The merchants' associations of North China began agitating in favor of an anti-Japanese boycott as retaliation. It was realized, however, that a boycott would be certain to bring swift and harsh measures by Japan which would further dislocate business.

**Mexican Events.**—On May 19 Archbishop Pascual Diaz died in Mexico City. He had been ill for two and a half months, and in a critical condition for the past three weeks. During the Church-State crisis in 1929, he had taken a prominent part in the negotiations and was Secretary of the Catholic headquarters. On May 20 the Mexican Government, on instructions from President Cárdenas, refused permission for removal of the body to the Cathedral, where it was to lie in state. Thousands of people had been passing through the private oratory in the home of Archbishop Diaz to pay their last respects. At 5 P.M. on May 18 a general strike of 50,000 workers went into effect on the entire system of the National Railways of Mexico, with Mexican and red flags raised over all stations. The Government declared the strike illegal and warned the men to return to work within twenty-four hours or their labor contracts would be canceled and the railway allowed to contract with its own workmen for the renewal of service. The strike ended at 3 P.M. on May 19. The strikers condemned the Government and President Cárdenas, accusing the President of implanting a Fascist system and violating the pledges he made when he took office. On May 19 workmen in the cotton district of Coahuila threatened a general strike, demanding a four-hour day, a fifty per cent increase in wages, and other concessions.

Leonard Feeney, S.J., has been appointed the Literary Editor of AMERICA. The Editor and Staff welcome him heartily, and believe that his appointment will be universally and enthusiastically applauded. Next week, Father Feeney will write about "The Poems for Our Lady." He will, hereafter, conduct all matters connected with the Poetry Award. The closing date has been extended two weeks.

It is with a sense of loss and deep grief that we announce the publication of "Holiday and Lady Terms." The author, Thomas Gaffney Taaffe, recently deceased, was one of our most cultured and most keen Catholic writers. We feel that we can little spare him.